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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Report on the human rights situation in the Islamic Republic of Iran by the Special Representative of the Commission on Human Rights, Mr. Reynaldo Galindo Pohl, pursuant to Commission resolution 1989/66

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CONTENTS

	Paragraphs	Page
INTRODUCTION	1 - 5	1
I. CONTACTS AND COMMUNICATIONS WITH THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN	6 - 16	2
II. INFORMATION RECEIVED BY THE SPECIAL REPRESENTATIVE ...	17 - 66	6
III. CONSIDERATION OF OFFICIAL OPINIONS RELATING TO THE IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS STANDARDS	67 - 78	17
IV. VISIT TO THE ISLAMIC REPUBLIC OF IRAN	79 - 230	20
V. CONCLUSIONS AND RECOMMENDATIONS	231 - 253	51
Annexes		

INTRODUCTION

1. By its resolution 1989/66 of 8 March 1989, the Commission on Human Rights decided to extend the mandate of its Special Representative on the situation of human rights and fundamental freedoms in the Islamic Republic of Iran, as contained in its resolution 1984/54, for a further year, and requested the Special Representative to present an interim report to the General Assembly at its forty-fourth session and a final report to the Commission at its forty-sixth session. By its decision 1989/148 of 24 May 1989, the Economic and Social Council endorsed that resolution.

2. In compliance with the above-mentioned resolution, the Special Representative presented an interim report (A/44/620) to the General Assembly and herewith submits his final report to the Commission.

3. As in previous years, the interim report concentrated on oral and written communications with Government officials and on complaints concerning events that in some way affected the human rights situation in the Islamic Republic of Iran and concluded with general observations. It was stated in the report that the final report would consider the points of view contained in the letters dated 26 June and 12 September 1989 (A/44/620, paras. 9 and 13) and the official opinions that came to the Special Representative's attention. It was also indicated that, as in previous years, the interim report had been planned and written as the first part of the final report, owing to the relatively short interval between the preparation of the two reports (A/44/620, para. 6).

4. This final report refers to the matters mentioned in the interim report, updates the events that in some way affected the human rights situation in the Islamic Republic of Iran, using the information that the Special Representative has continued to receive from October 1989 to January 1990, and adds a completely new chapter on the visit which the Special Representative made to the Islamic Republic of Iran from 21 to 28 January 1990 at the invitation of the Iranian Government.

5. Following the established pattern, this final report is divided into the following chapters: Introduction; I. Contacts and communications with the Government of the Islamic Republic of Iran; II. Information received by the Special Representative; III. Consideration of official opinions relating to the implementation of international human rights standards; IV. Visit to the Islamic Republic of Iran; and V. Conclusions and Recommendations. As in previous reports, various annexes are attached containing information on events and complaints referred to in the main body of the report. The lists received have been extremely long and, at times, due to the different sources, have repeated the same information and it has been necessary to prepare consolidated lists, particularly with regard to persons executed. The lists that have contained only names or numbers of executions, with no mention of other details, have not been included. It has not been possible to include the lists of names of political prisoners, for doing so would have doubled the number of pages of this document. The correspondence and documents received are so numerous and so voluminous that it has only been possible to give a brief indication of their contents. All are available in the Centre for Human Rights to members who wish to consult them.

I. CONTACTS AND COMMUNICATIONS WITH THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN

A. Personal contacts with Iranian representatives

6. On 16 November 1989, the Special Representative had a long talk in New York with the Permanent Representative of the Islamic Republic of Iran to the United Nations, Ambassador Kamal Kharrazi, who was accompanied by members of the Permanent Mission. In this as in the following conversations with Iranian officials, the Chief of the Special Procedures Section of the Centre for Human Rights accompanied the Special Representative.

7. On 16 November, the Permanent Representative requested the Special Representative to include in the presentation of his interim report to the Third Committee of the General Assembly the statements by the Government reproduced below; the Special Representative granted that request. The statements read:

> "1. No political motivation has been involved in the trial and conviction of any drug trafficker;
>
> 2. The charge that the execution of drug traffickers has been used as a pretext for political executions is totally false and all persons convicted for drug trafficking have been solely and exclusively ordinary criminals;
>
> 3. The ammesty granted in early 1989 to some 2,500 prisoners was a genuine measure of clemency and all those released returned to their homes."

8. The same conversation dealt with the disagreement of the Government of the Islamic Republic of Iran with certain parts of the interim report. The Special Representative also repeated his recommendations for improvements in the human rights situation in the country, in accordance with previous reports and with the 1989 interim report. The Permanent Representative of the Islamic Republic of Iran indicated his Government's willingness to proceed in accordance with paragraph 125 of the interim report, which refers to full co-operation with the Special Representative, including a visit to the country, and the possibility of resuming a dialogue with the countries sponsoring the General Assembly resolution on this item for the purpose of obtaining a consensus resolution.

9. Both the 16 November talk and the extensive conversations of 21 and 22 November, dealt with the texts of notes that the Permanent Representative and the Special Representative might exchange in order to pave the way for a possible consensus resolution. After considering several possibilities and discussing every word, they arrived at the texts reproduced in paragraphs 11 to 13 of this report.

10. In order to agree on the details of the visit to the country, the Special Representative sent two letters to the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva, Ambassador Sirous Nasseri. On 16 January, the Special Representative received oral confirmation from Ambassador Nasseri that the dates 21 to 28 January were acceptable to his Government. During that conversation, they also discussed

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procedural details based on the terms of reference for the visit transmitted to the Government on 24 November 1988 (see paras. 11 and 12) and the initial list of interviews included in the Special Representative's letter dated 8 January 1990. Ambassador Nasseri said that his Government would co-operate fully so that the visit would take place and yield positive results.

B. Written communications with the Government of the Islamic Republic of Iran

11. On 24 November 1989, the Special Representative sent the following letter to the Permanent Representative of the Islamic Republic of Iran:

> "I should like to refer to the conversations we had on 16, 21 and 22 November 1989.
>
> Let me express my appreciation for the constructive spirit which characterized our exchange of views. I have taken note with great interest of your observations regarding my interim report to the General Assembly and, in particular, of the information you conveyed to me that your Government is considering to extend an invitation to me to visit the Islamic Republic of Iran. As I have repeatedly stated on previous occasions, I feel that such a visit would be very useful as it would enable me to obtain first-hand information on the human rights situation in your country and to report to the Commission on Human Rights at its forty-sixth session in a more comprehensive way.
>
> If your Government were to extend such an invitation, my visit would have to be conducted in the framework of the established practice observed during many similar United Nations missions in the field of human rights in the past. In this connection, I am attaching the standard terms for reference for such missions as prepared by the Centre for Human Rights.
>
> The Centre for Human Rights would provide you with a tentative programme well in advance of the visit in order to enable your authorities to make the necessary arrangements and to complete them as may be considered convenient."

12. The terms of reference for the visit, described in the annex to the letter, were as follows:

> "During fact-finding missions, Special Rapporteurs or Representantives of the Commission on Human Rights, as well as United Nations staff accompanying them, should be given the following guarantees and facilities by the Government who invited them to visit its country:
>
> (1) Freedom of movement in the whole country, including facilitation of transport, in particular to restricted areas.
>
> (2) Freedom of inquiry, in particular as regards: (a) access to all prisons, detention centres and places of interrogation; (b) contacts with central and local authorities of all branches of the Government; (c) contacts with representatives of non-governmental organizations,

other private institutions and the media; (d) contacts with witnesses and other private persons considered necessary in the fulfilment of the mandate; (e) full access to all documentary material relevant to the mandate.

(3) Assurances by the Government that no persons, official or private, who have been in contact with the Special Rapporteur/ Representative in relation to his mandate, would, for this reason, suffer threats, harassment or punishment or be subjected to judicial proceedings.

(4) Appropriate security arrangements, without, however, restricting the freedom of movement and inquiry referred to above.

(5) Before, during and after the visit, the Special Rapporteur/ Representative will be assisted by the appropriate United Nations staff, who must be given the same guarantees and facilities as mentioned above."

13. The Permanent Representative's reply, dated the same day, was as follows:

"I have the honour to acknowledge the receipt of your letter and its enclosure dated 24 November 1989, and would like to extend to Your Excellency the invitation of my Government to visit the Islamic Republic of Iran so as to enable you to present your report to the 46th session of the Commission on Human Rights based on realities rather than allegations.

My Government will extend to you its full co-operation. I also wish to inform that the judicial authorities of the Islamic Republic of Iran are furthermore prepared to provide the necessary background on Islamic jurisprudence and the legal procedures of the Islamic Republic of Iran to familiarize you with the overall system.

The exact time and procedure of your visit to the Islamic Republic of Iran will be finalized in consultation with you and appropriate members of the Secretariat."

14. On 22 December 1989, the Special Representative sent the following note to the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva:

"I have the honour to refer to the invitation which your Government, by letter from its Permanent Representative to the United Nations dated 24 November 1989, extended to me to visit the Islamic Republic of Iran so as to enable me to present a report to the Commission on Human Rights at its forty-sixth session.

In expressing my sincere appreciation for your Government's invitation, I should like to propose that my visit take place from 16 to 25 January 1990. I would be grateful if you could advise me whether the suggested dates are convenient for your Government. Upon confirmation of the dates, I shall provide you with a list of the United Nations staff which will accompany me on my visit, together with a list of requested appointments with Iranian officials, as well as of places which I would like to visit during my stay in the Islamic Republic of Iran."

15. As the Special Representative was informed by the Permanent Representative that some of the officials the Special Representative wished to interview would not be in Tehran on the days mentioned in the letter above, new dates were proposed in another communication dated 8 January 1990, which reads as follows:

"Upon arrival at Geneva for consultations relating to my mandate at the Centre for Human Rights, I have learned that the dates 16 to 25 January which I proposed for my visit to the Islamic Republic of Iran do not appear to be convenient to your Government. In this connection, I wish to stress that, in order to enable me to report in time to the forty-sixth session of the Commission on Human Rights, as envisaged in the exchange of letters with Ambassador Kharrazi, my visit would have to take place in January. I therefore propose that the visit commence at the latest on Saturday, 20 January 1990, for a duration of 8 or 10 working days.

I would further be grateful if you could communicate to the competent authorities the attached initial list of appointments and visits which I have prepared at the request addressed to me by you and your colleagues in New York. I shall not fail to inform you of my additional meetings or visits which in the light of my current series of consultations I might consider necessary or useful. It would be appreciated if the appointments with members of the Government and officials could be scheduled for the morning so as to leave time in the afternoon for my meetings with private persons outside the official programme as well as for any other arrangements or visits which I might request in the course of the visit.

I also wish to mention that, in accordance with usual practice, the arrangements for my visit concerning hotel bookings, provision of transport facilities and the organization of my meetings outside the official programme will be taken care of by the Resident Representantive of UNDP in Tehran. The expenses for these arrangements will of course be borne by the United Nations.

I am looking forward to receiving at your earliest convenience a confirmation of the dates for my visit and shall send you in turn the list of the staff of the Secretariat of the United Nations who will acompany me."

16. On 28 January 1990, the Special Representative sent the following letter to the Minister for Foreign Affairs, Mr. Ali Akbar Velayati:

"Upon the completion of my visit to the Islamic Republic of Iran, I should like to express again my sincere gratitude for the invitation your Government extended to me in the framework of Commission on Human Rights resolutions 1984/54 and 1989/66 and for the arrangements made during my stay in your country.

The meetings your Ministry kindly arranged for me with many distinguished representatives of the executive, judicial and legislative branches of your Government have been most useful and have given me an invaluable insight into the Islamic principles by which your country's

legal system is inspired. The information I could gather in the meetings as well as in the many other contacts and conversations I had during my visit will greatly assist me in preparing my report to the forthcoming session of the Commission on Human Rights.

I have had occasion during my visit to express my deep concern over the continuing high number of death sentences pronounced in particular by the Islamic Revolution Courts and should like to appeal to your Government to consider granting clemency to as many convicted persons as possible; and in cases in which death sentences cannot be commuted to make sure that all safeguards stipulated in the International Covenant on Civil and Political Rights, particularly in its article 14, have been fully respected in the preceding trials.

Permit me finally to request your kind intervention with the competent authorities in the case of Eng. Amir Entezam, presently detained at Evin prison, whose critical health situation urgently requires adequate medical treatment."

II. INFORMATION RECEIVED BY THE SPECIAL REPRESENTATIVE

A. Oral information

17. Between 8 and 19 January 1989, the Special Representative heard further witnesses in connection with the human rights situation in the Islamic Republic of Iran; some of them referred to developments that differed from those recorded in the statements which were heard on 10, 12, 13 and 17 July 1989 and were described in detail in the interim report (A/44/620, paras. 17-57).

1. Substitute imprisonment

18. On 9 January, the Special Representative heard testimony by persons who requested that their identity should not be revealed for reasons of personal safety. The first witness stated that she had been held for eight years in Evin prison and accused of conspiring with her husband and her brother, who belonged to the People's Mojahedin Organization. Her husband, brother and brother-in-law were executed in 1983. After she had been in prison for three years, she underwent a trial which lasted about three minutes. As she had been pregnant at the time of her arrest, she was allowed to give birth to her daughter outside the prison, but after the birth she was taken back to prison with her baby. Because her health was poor, particularly her mental health, she was sent to a mountain area, from which she was able to escape. Two groups tried to cross the border, but since she was still not well, her daughter was entrusted to a person in the second group. The members of her group managed to cross the border, but the persons in the other group were captured and her daughter was with them. Since she had fled, her daughter stayed in Evin prison and is still there. She is now eight years old and is in section 7, cell No. 204.

19. A former Iranian journalist stated that he had been held in Evin and Ghezel-Hessar prisons from 1982 to 1985 on charges of co-operating with the Western press. His sister was arrested and executed in 1982 for her links

with the People's Mojahedin, but he was and continues to be independent. After a five-minute trial, he was sentenced to eight years' imprisonment. As he managed to flee the country, his father was taken hostage and is still in section 6 of Evin prison without having been brought to trial.

2. Execution of persons serving prison sentences

20. One witness reported that her husband, a psychiatrist by profession, had been arrested in 1981 and shortly afterwards sentenced to several years' imprisonment; but she managed to get out of the country. During the time her husband was in prison, the relatives had to pay 20,000 rials a month to cover his personal expenses. The relatives were able to visit him once a month for a few minutes at a time. In July 1988, the visits were suspended and, at the end of that year, the relatives were informed of his execution.

21. Another witness stated that her husband had been arrested in 1983 and, although it could not be proved that he had been involved in activities prejudicial to State security, he was sentenced to 15 years' imprisonment for his leftist political views. He was later sentenced to death. When he and other prisoners were being taken to the gallows, a guard told him to say a prayer and he said that he did not know any. The guards decided that he was not worth the bullets they would have to use to shoot him and took him back to the prison to torture him, with the result that he had to be taken to the hospital, from which he was able to escape. According to this witness, living conditions in Evin have improved in the past few weeks. There were only four prisoners to a cell, there was a small kitchen where the prisoners could cook and a store had been opened.

22. Another witness reported situations similar to those referred to above. Her husband was arrested and sentenced to a prison term; years later, in 1988, her 12-year-old brother-in-law was notified, by means of a telephone call from a person who identified himself as an official from Evin prison, that the prisoner had been executed.

3. Trials by Islamic Revolution Courts

23. The witness Mohammad Reza described his experience before a revolutionary court and in prison while he was being interrogated and later while he was serving a life sentence. Fifteen members of his family were executed but he managed to escape while being transferred from Evin to another detention centre. He said that the revolutionary courts are divided into 13 sections, each with its own prosecutor. The sections specialize in specific charges and offences; some deal with the Mojahedin, others with communists and leftists in general, and still others with religious offences, including dissent from Islam. According to the witness, sections 6 and 7 are particularly feared because the sentence they invariably pronounce is death. The witness also stated that drugs were used during interrogations and that he knew this because a cousin of his was interrogated while under the influence of a gas.

4. Sentencing of a group of women to death

24. The Special Representative received information that 13 women prisoners had been sentenced to death and might be executed within the next few days or weeks. A committee set up to defend them was represented by three persons, who stated that any prisoners who might be released could be given asylum in

Berlin, according to a letter signed by the mayor of that city. The Ministry of the Interior of the Federal Republic of Germany had reportedly also stated that it was prepared to grant them asylum. With the consent of their families, the names of eight of the women sentenced to death are given below: Zohreh Gaheni, Soraya Kiani, Dr. Mitra Ameli, Fatemeh Houssenzadeh-Tussi Maghadam, Fatemeh Izadi, Nahid Bourudiahi, Gutti Azarang and Malakeh Mohammed.

5. Request for information on a missing person

25. Mr. Claude Esbert, a French national, appeared before the Special Representative on 8 January to describe the case of his daughter, Annie, a French nurse, and to request assistance in obtaining information on her whereabouts. Her husband, an Iranian citizen, joined the forces which invaded the Islamic Republic of Iran in July 1988. As far as Mr. Esbert has been able to find out, his daughter joined a group of Iranian civilian nurses as a volunteer and accompanied the July 1988 insurgent expedition. The ambulance in which she was travelling was immobilized by artillery fire in the Islamabad-Garb-Kermanshah region. An Iranian newspaper reported that a French nurse had been wounded and arrested. Mr. Esbert has requested assistance from the Red Cross and the French Government but has been unable to obtain definite information about what happened to his daughter. He has also been in contact with the Iranian Embassy in Paris, where he was told that what might have happened is that his daughter died during an air raid. He wants to be told whether his daughter is alive or dead and, if she is dead, where she is buried.

6. Testimonies concerning terrorism

26. The Society for the Protection of Victims of Terrorism, described as a non-governmental organization with headquarters in the Islamic Republic of Iran, was represented by Mr. Saide Henati, who said that three of the persons accompanying him were members of the organization but were all ordinary citizens, without any official responsibility or public office, and were travelling on their own account, with some assistance from the organization.

27. Mr. Henati stated that three of the persons accompanying him were former members of the Mojahedin and therefore knew the methods of operation and plans of that organization, which he said was of a terrorist nature. The former members of the Mojahedin had reflected, repented and been forgiven, and were peacefully reintegrated within Iranian society. Mr. Henati also made available several letters from victims of terrorism who had been unable to travel to Geneva.

28. The seven witnesses whose statements are summarized below requested that their names should not be revealed. The first witness stated that he had joined the Mojahedin in the year 1357 (1979) and continued to belong to the organization until 1361 (1983). He had found the organization's programme and publications very attractive, but after a year and a half he had begun to realize that the actual situation did not correspond to the programme and publications that had won him over and aroused his enthusiasm. His conscience had begun to bother him because he had committed reprehensible acts. He referred to the operation which he had led against an engine driver who was a Hezbollah (partisan of God) and in which the men he was leading had also

killed the wife and son of the main victim. The instructions he had received required him to ask for the identity card of any person suspected of being a Hezbollah and, if such a person showed a Hezbollah card or even showed no card at all, he was to be executed on the spot.

29. The second witness also stated that he had belonged to the Mojahedin organization, but had changed his way of thinking and was now working to help the victims of terrorism. He had been responsible for supplying weapons and ammunition for armed groups and had risen to an important position in the organization. One of his responsibilities had been to give instruction to the young people joining these groups. They were given cyanide tablets so that, in the event of arrest, they could avoid torture and also keep the secrets they knew. In order to keep secrets, there was a man in one safe house who was supposed to kill his companions if the police arrived. He was finally arrested, tried and sentenced to imprisonment; when he was released, he was invited to join the Society for the Protection of Victims of Terrorism, to which he now belongs and whose work he regards as an important means of preventing other young people from following the wrong path.

30. The third witness said that he had been in prison for seven years as a political prisoner. He joined the Mojahedin when he was a student, before the Revolution. Although he tended to be in favour of political struggle, he gradually came to support armed struggle. He gave himself totally to the Mojahedin organization, moved up in the ranks, and carried out and gave orders without taking time to reflect on what he was doing. Since he had made a full confession at the time of his arrest, he was not given a lengthy sentence. He was released after three years, continued working with the same organization, and had contacts in France, Iraq and Germany. He was arrested a second time and once again confessed. He was told of an escape plan, in order to safeguard the information he possessed, but the plan was a trap because he was supposed to die as he was leaving his prison. When he realized this, he decided to make a complete break with the Mojahedin.

31. The fourth witness had not been a member of any organization. He described himself as a very religious man who had been attacked by terrorists in the street. He showed a piece of paper stained with his blood. According to his statement, some Mojahedin had tried to take his motorcycle away from him, but he put up a fight. Since the motorcycle did not have much petrol left, the attackers came to a stop not far away; he took advantage of the opportunity to run and try to get his vehicle back. At that point, the attackers tried to steal another motorcycle. He asked them why they were acting in that way, a fight broke out and they fired a shot that hit him in the leg. Some persons helped him and stopped his attackers. One of them swallowed a cyanide tablet. He submitted a copy of the confession by the attacker who had been captured.

32. The three other persons were young women who had lost their husbands or close relatives as a result of violence. To give evidence of the suffering of private citizens, they had accepted the invitation of the Society for the Protection of Victims of Terrorism. The first woman said that her father and brother had been killed by the Mojahedin Khalq. Her father had been a hard worker and her brother a secondary-school student. Her father had been working in his shop when the Mojahedin came to kill him; her brother tried to help him, but he was also killed. Her father and her brother had not been political activitists, but had simply been supporters of the Islamic Government.

33. Another witness was a widow, whose husband had been killed as he was leaving their home. He had not held any official position, but had been doing community work; the Mojahedin therefore suspected him of working for the Islamic Government and decided to get rid of him. She said that that organization had claimed responsibility for 26 deaths in her neighbourhood. The last witness in the group, another widow, said that her husband and son had been killed in their grocery store simply because they had been devout Muslims and were regarded as supporters of the Islamic Government.

B. Written information

1. Information from individual sources

34. During the period between the announcement of the invitation and the departure of the Special Representative to the Islamic Republic of Iran, some 1,500 Iranian emigrés or relatives of Iranians living abroad addressed communications to the Special Representative. Some 800 such communications were writen in Persian and could not be translated due to lack of time. The remaining 700 were written in English, French and German and the allegations they contain can be divided into the following categories:

Alleged cases of executions	1,529
Alleged cases of torture	1,450
Alleged cases of disappearances	815
Cases with information about prisoners and prison conditions	102

35. Many of those letters contain detailed descriptions of the imprisonment, torture and/or execution of relatives and friends. Statements made by Iranian emigrés to the media in various countries were also brought to the attention of the Special Representative. By way of example, the contents of a few letters reporting to events and situations of a more recent date are summarized below.

(i) Akbar Mosaferi, an Iranian air force mechanic, stated in Istanbul, Turkey, in August 1989 that people who had been puzzled about the cause of a foul stench over a piece of land near Islamabad in August 1988 had dug it up and disinterred the decomposed remains of 25 people who had obviously been executed. Among the dead he had identified Ali Ghaffari, his former schoolmate, who he knew had been in prison for several years.

(ii) Ibrahim Boorboor stated in Amsterdam, Netherlands, on 5 June 1989 that in August 1988 30 political prisoners had been transferred from Bandar-Azali to Rasht prison in the north of the country. Their relatives had been worried about the transfer and had asked the prison authorities why the prisoners had been moved. The authorities told them that there was no cause for alarm. The following December the relatives received the clothing and other belongings of the prisoners, together with notification that they had been executed.

(iii) On 23 August 1989, Major Latif Shoostari stated in Karachi, Pakistan, that on 11 July 1989 15 prisoners of war freed by the National Liberation Army of Iran had been executed in Parandak Barracks, near Tehran. He further stated that Homayoun Solati, Sharokh Shama and Mehdi Sabeti had been falsely accused of drug-trafficking and executed in Tehran, the first on an unknown date, the second in April 1989 and the third on 18 July 1989.

(iv) Mr. Hamid Assadian supplied information, in a letter, about his wife, Farzaneh Amou'i, a former student at the School of Agriculture in Karaj. According to this information, Mrs. Farzaneh Amou'i was arrested in June 1981 without a specific charge and tortured until a month prior to the birth of her daughter. After being released because of the imminent birth, she was rearrested in February 1982 and subjected to appalling sanitary conditions and given totally inadequate food. She then spent some time in the part of the prison called "maskooni", which means "residential unit", where she was subjected to so many different kinds of harassment that her mental balance and physical condition were affected. She is still in prison and is being held in extremely harsh conditions. Prison governors have told her that her imprisonment is due solely to the fact that she is Hamid Assadian's wife.

(v) Mr. Bahin Bahramian, a dentist, resident in the United States, said in a letter that he had obtained a residence permit for his 75-year-old mother, but she had not been able to make the journey because when she was about to board the aircraft at Mehr-Abad airport, her passport had been confiscated. At the time, she was told that the reason for the confiscation was that she was a member of the Baha'i faith. However, she stated and repeated that she is not a member of that faith and is willing to prove it to the authorities. Thus far, efforts to enable her to leave the country have proved fruitless.

(vi) Mr. Habib Ahmadi, resident in the United States, sent the Special Representative a letter, dated 8 December 1989, in which he informed him that his sister Aceah had been arrested in 1981 and sentenced to eight years' imprisonment. One day in the autumn of 1989, a member of her family was asked by phone to report to the prison, where officials handed over her clothing and other belongings, with this warning: "You must not talk to anybody about this" (Aceah's execution). They also said that if anyone found out what had happened, he would be declared guilty and punished.

2. Information from the Iranian and international press

36. On 11 August 1989, the international press reported that 20 persons had been executed on charges of drug-trafficking and that 1,300 persons had been executed for that offence since January 1989. This figure has steadily increased up to the time when this final report was completed. For example, the international press reported the announcement by Iranian radio on 24 December 1989 that 17 members of a gang of drug-traffickers and weapons-smugglers, including a woman, had just been executed in Tehran, Mashad and Kerman.

37. The Turkish press reported that 48 asylum-seekers had been handed over to the Iranian authorities and executed in Orumiyeh in August 1989.

38. Other publications reported on 15 September 1989 that five political prisoners named Mohammad Yoyunessi, Mohammad Gholi Ebrahimi, Bizhan Bigliari, Bahram Kamezi and Massoud Sabet had been executed for drug-trafficking in Hamedan, Rasht, Kermanshah and Shiraz. The same source stated that those persons had been among 79 persons executed on 19 August.

39. The press published statements by Mr. Davoud Karimi, a member of the Islamic Revolution Committee, to the effect that 9,000 political opponents and 40,000 drug-traffickers and drug-addicts were in prison. In May 1989, the newspaper Kayhan (an English language newspaper, published in Tehran) reported that 200 members of the People's Fedayeen organization and the Tudeh Party had been arrested. The Iranian press also reported the detention of supporters of Kurdish political groups, including members of the so-called Komala group, on charges of conspiracy to commit acts of terrorism and sabotage.

40. On 31 July 1989, Kayhan reported that six women convicted of adultery and immoral behaviour had been stoned to death in Bakhtaran. The newspaper Jomhouri Islami reported on 24 April that members of a gang involved in immoral acts and prostitution had been hanged or stoned in Bushehr. The stonings were carried out in the sports stadium. Kayhan reported on 13 May 1989 that a woman had been stoned to death in Meishaboor stadium. On 13 January 1989, Kayhan reported that a man and a woman sentenced for adultery had been stoned to death in Karaj. Jomhouri Islami reported that a woman had been stoned to death in Zahan. On 20 February 1989, the official radio announced that two persons had each had a hand cut off.

41. The press published statements attributed to a senior member of the Judiciary to the effect that the summary executions of political opponents had produced satisfactory results. The press also published statements attributed to another prominent person holding no official functions to the effect that the summary executions were a mistake. Other official sources denied that there had been many executions in Iran and stated that the accusations made in that regard were the result of the manipulation of information by opposition groups.

3. Information from foreign organizations

42. The Secretary-General of the United Nations transmitted to the Special Representative a copy of a letter from the Congressional Friends of Human Rights Monitors, composed of 52 Senators and 143 members of the United States Congress. The letter was signed by Senators Patrick Moynihan, David Durenberger and James Jeffords, and Representatives Tony Hall and Constance Morella. The latter stated that Mohammed Hossein Akbarzadeh Youssefi, a doctor by profession and held in high esteem in Tabriz for the free assistance he had given to needy persons, had been arrested and executed in October 1988, without trial and with no specific charge or legal assistance. Doctor Youssefi had been arrested and released a number of times during the years prior to his execution.

43. The Indian Committee for the Defence of Human Rights, a specialized branch of the National Federation of Indian Women, sent the Special Representative a letter from New Delhi on 29 December 1989 expressing deep concern at the possible execution of 18 women prisoners in Iran. The letter stated that those women had been sentenced to death and placed in solitary confinement. The reporting organization did not furnish the names of the women under sentence of death.

4. Information provided by Iranian organizations

44. On 8 December 1989, Mr. Karenzadeh and Mr. Gadan Jalil, who stated that they represented the Kurdistan Democratic Party, handed the Centre for Human Rights a list of prisoners alleged to have been executed since 1988, a list of civilians killed by members of militias and a list of Kurdish villages that had been destroyed. The complainants further stated that 15 persons had been arrested in November 1989 in Paveh and held in Kermanshah prison, and that three of them had been executed because of their support for Kurdish autonomy movements.

45. On 8 January 1990, Mr. Karimadeh Abdolrahman, spokesman for the Kurdistan Democratic Party, handed the Special Representative a list of 95 persons alleged to have been executed in prisons in Kurdistan in 1988, and stated that he was absolutely sure of the veracity of that information. He also gave the names of 11 civilians, one of them a student and the remainder peasants, who had been killed by members of the armed forces. Those lists repeated many of the names given in the lists mentioned in the previous paragraph. He also handed over a list of 136 Kurdish villages allegedly destroyed since 1980. He stated that hundreds of Kurds had been executed since the 1988 cease-fire in Kermanshah, Saqqez, Mahabad and Orumiyeh.

46. On 8 January 1990, the Special Representative received Mr. Mehdi Fatapour, a member of the Political Bureau of the People's Fedayeen Organization. Mr. Fatapour stated that political prisoners continued to be executed as drug traffickers and, in that connection, mentioned the case of Dr. Mansour. At the beginning of the year three persons accused of being homosexuals had been beheaded. He also submitted a list of 80 women who were still being kept in prison, even though they had served their sentences.

47. On 10 January 1990, the Special Representative received Mr. Madavi Hossein, Secretary-General of the People's Mojahedin Organization, and Mr. Kasem Rajavi, representative of the National Council of the Resistance in Switzerland, who gave him eight documents concerning the situation in Iran. Their contents are described below: (a) list of political prisoners executed as drug-traffickers; (b) political prisoners buried in secret common graves; (c) names and addresses of 410 relatives of persons who had been executed; (d) list of 643 prisons; (e) names and details of 4,725 political prisoners; (f) list of 1,786 persons accused of being torturers; (g) copies of official statements on human rights; and (h) copies of reports in the international press on human rights in Iran. They said that 250 people had worked for two months on the preparation of the eight documents. On 17 January, Mr. Madavi Hossein and Mr. Kasem Rajavi submitted further documents, together with letters and cases of persons whose fundamental rights had been infringed.

48. On 15 January, the Special Representative was visited by two representatives of the Independent Committee of Iranian Lawyers in Exile, who spoke about the situation of lawyers. They stated that a number of lawyers had been executed, and described the events that had led to the dissolution of the old Tehran Bar Association and the arrest of its President. They referred to the executions of Massoudi Manouchehr, a legal adviser, and of Mr. Khaksar, who had acted as defence counsel for a number of Mojahedin in revolutionary tribunals. Lawyers who had tried to act as defence counsel for political offenders were persecuted and forced to hide or leave the country. In 1981 and 1982 a number of lawyers had still been able to act as defence counsel in political trials, but their services had soon been dispensed with and since then political trials had taken place without independent legal aid for the defendants.

49. On 15 January, representatives of the Kurdistan Democratic Party, the People's Democratic Party of Iran and the People's Fedayeen Organization referred to the situation in Iranian gaols. They promised to send a list of 14,000 executed political prisoners, and provided the names and details of many people still in prison. They also handed over a copy of the report of a mission by the International Federation of Human Rights to Kurdistan, and a list of villages which they said had been destroyed over a period of 10 years by regular or irregular Iranian armed forces. In each village in Kurdistan there were notices listing the names of inhabitants who had been executed; the purpose of the notices was to intimidate the population.

5. Official information on terrorism

50. The Government of the Islamic Republic of Iran has submitted to the Special Representative a 58-page document containing 170 excerpts from the newspaper Mojahed, published by the People's Mojahedin Organization, dated between 9 November 1983 and 21 January 1985. In these excerpts the organization acknowledged that it had conducted propaganda campaigns, and engaged in military activities and attacks against private individuals in Tehran, Isfahan and other cities, against private vehicles and against premises where supporters of the régime normally met. The document contains the names of 38 victims of these acts (annex II). The section entitled "Brief reports" contains information concerning attacks on alleged spies and torturers.

51. The Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva has sent the Special Representative a number of leaflets relating to terrorist attacks attributed to that organization. The leaflet entitled "Reality" describes eight attacks for which responsibility was claimed by the organization. The purpose of this leaflet is to demonstrate that the victims were not spies, mercenaries or torturers, but peaceable private individuals who were simply supporters of the régime. The leaflet entitled "Political activities ..." reproduces the statements of former activists who claimed responsibility for armed actions, some of which were suicidal in nature, against revolutionary guards and against the Pars News Agency.

52. The publication entitled "Observations on the trend in blind terrorism in Iran" recapitulates incidents for which responsibility was claimed by the above-mentioned organization. "Documentary proof of terrorism" reproduces pages of publications by the People's Mojahedin which acknowledged

responsibility for attacks against military and civilian targets. A further three publications contained reports on incidents, names, dates and results of actions against public transport and public buildings, and against persons holding public office and private citizens without official responsibility.

6. Situation of the Baha'is

53. The Special Representative has been informed of the situation of the Baha'i as follows: The improvement in the situation of members of the Baha'i faith continued between October 1989 and January 1990. Since two Baha'is were executed in December 1988, there has been no report of any further executions. In May 1989, 14 Baha'is were in prison and since then 9 have been arrested and 10 released; the number of prisoners at the end of 1989 was accordingly 13.

54. Most Baha'is continue to be deprived of their pensions, but those who retired before the Revolution and are over 60 years of age will be able to draw their pensions if they paid their social-security contributions for 10 years; if they have not paid the full contributions for the 10-year period, they will be able to make up the balance and receive benefits. But those who have retired or lost their jobs during the past 10 years will not be able to receive their pensions.

55. Since November 1989, a number of commercial licences have been renewed, and shops managed or owned by Baha'is have reopened. The Ministry of Commerce has authorized the reopening of a number of shops in Abadih and Burujan, but they are still closed because of threats by extremist elements. It should also be noted that the Baha'is are able to obtain ration cards, which had been withheld from them for a long time.

56. The Baha'is are still experiencing problems in connection with the right of inheritance. They are being refused inheritance certificates which, under Iranian law, are necessary in order to obtain possession of the assets of the person concerned. Consequently, they are unable to legalize possession of inherited assets. The situation of the confiscated farms remains uncertain, but they have been allowed to bring legal proceedings in a number of courts.

57. In addition, they are being refused passports and consequently are compelled to remain in Iran even though they would like to travel abroad to join their families or receive medical treatment.

58. Since 1988, the Baha'is have been admitted to primary and secondary schools, without exception, but they are systematically being refused admission to universities.

59. The Baha'is are unable to meet as members of their faith. They are not allowed to use the premises to which they formerly had access in order to practise their faith and are not allowed to enter all offices owned by them.

60. As part of the improvement in their situation, it should be noted that, as stated in the interim report, they are now allowed to bury their dead in their own cemeteries. Nevertheless, they are experiencing difficulties in this connection at Qazvin, Hamadan, Rasht, Chalus, Nawshahr, Babulsar, Babul and Sari.

61. The Special Representative has received photocopies of official documents containing decisions by the competent authorities in cases relating to Baha'is. These documents are listed below:

(a) Notification dated 12 March 1989 by the Islamic Revolution Court of Gunabad to a Baha'i of the verdict handed down in his absence, by which he was sentenced to one year's imprisonment for membership in the Baha'i organization;

(b) Letter from the Executive Committee for Investigation, Ministry of Culture, stating that a student who had been prevented from continuing his studies because of his relationship with the Bahá'i sect could send a declaration renouncing his affiliation with that sect, in order that it might be widely published and subsequently investigated and submitted for a decision; failing submission of such a declaration, he would be treated in accordance with the data in the registers concerning him;

(c) Letter from the Department of Commerce, dated 17 April 1987, informing an applicant that his turn for the installation of a telephone had come, but, because he was a member of the Baha'i faith, it would not be installed; and

(d) Note from the Ministry of Justice stating that certification of the status of heirs is granted only to persons who are members of the four officially recognized religions and that the heirs of Baha'is are not entitled to receive such certification.

62. Information received more recently indicated that three prisoners had been released in Karaj, one in Isfahan and one in Khuy, with the result that the number of imprisoned Baha'is has declined to eight. In Abadih, the Baha'is received from the Government 40,000 square metres of land for use as a cemetery, and the first bodies have been buried on that site. The situation in Marvast has returned to normal since 16 workers have recovered their jobs, 5 have obtained a work permit and all the shops have reopened after being closed for six years. In Tabriz, all Baha'i shopkeepers and workers have obtained the necessary permits. The judicial authorities in Qazvin have ordered land to be returned to the Baha'is. In Bandar Turkamen, arrangements have been made to reconnect all telephones belonging to Baha'is. In Hamadan, the local authorities have allowed four girls who had been expelled from art school to resume their studies. And the Baha'is who had been banished to Jahrum have received permission to return to Kiram, their normal place of residence.

7. Clemency measures

63. The Special Representative received reports of clemency measures ordered by the Government of the Islamic Republic of Iran after the interim report had been completed, but informed the Third Committee of the General Assembly of those measures in his oral statement on 20 November 1989. It is to be hoped that the Government of the Islamic Republic of Iran will order further clemency measures benefiting political prisoners and ordinary prisoners, including drug traffickers who show signs of reform. The Special Representative has expressed great satisfaction at this humanitarian policy, which first manifested itself in the amnesty of early 1988 benefiting about 2,500 detainees. The policy has recently continued with pardons and the commuting of sentences.

64. In this connection, it should be mentioned that, on 18 October 1989, the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed a letter to the Secretary-General of the United Nations which was circulated as an official document of the General Assembly (A/C.3/44/S) stating that the Government had issued a decree granting pardons to, or considerably reducing the sentences of, persons who had been convicted of a number of offences. That decree did not concern persons sentenced for drug trafficking or rape.

65. In addition, the Special Representative received from the Permanent Mission of the Islamic Republic of Iran to the United Nations a document stating that 572 prisoners at Karadj, Qom and Zahedan had had their sentences commuted. According to the Permanent Mission, this figure was indicative of the large number of prisoners who had been granted a pardon or had their sentences commuted in many other Iranian cities; however, overall figures were not yet available.

66. The Permanent Mission further stated that all persons sentenced to one year's imprisonment were amnestied. Prisoners sentenced to terms of 5, 10 or 15 years had their sentences reduced by one third, one fourth and one fifth, respectively. Sentences of over 15 years were reduced to 10 years, and life imprisonment was commuted to 15 years' imprisonment.

III. CONSIDERATION OF OPINIONS OF THE IRANIAN GOVERNMENT

67. Between the date of renewal of the mandate in March 1989 and completion of the interim report in October 1989, the Iranian Government expressed important opinions on the enjoyment of human rights and compliance with the international human rights provisions in force. The complete texts of the relevant statements were included in the interim report (A/44/620, paras. 8-14) and the Special Representative's comments will thus refer to that report, without reproducing the texts in full.

68. The Iranian note of 26 June 1989 (A/44/620, para. 8) referred first to the Special Representative's visit, a matter which was concluded through resolution 44/163 adopted by consensus by the General Assembly at its forty-fourth session. Other matters about which differences of view have emerged between the Government and the Special Representative are commented on below.

69. In the above-mentioned note, it was stated: "Definitely, the Islamic Republic of Iran cannot, and will not, hold itself committed to answering allegations orginating from certain terrorist groups and war-time traitors." It added that it would be able to answer "After the terrorists have been excluded as the source of information from the fact-finding and information-gathering system of the Commission on Human Rights." Expressing its desire to co-operate with the Special Representative, the Government stated that 140 of the names listed as executed political activists in an annex to the final 1988 report were fictitious since they did not appear in any official register.

70. The Special Representative wishes to point out that the Iranian Government has on a number of occasions promised to reply in detail to all the allegations communicated to it during the years of his mandate, since 1984, and announced that the replies were under preparation. In the Commission on

Human Rights, the most recent promise to this effect was made on 6 March 1989, when the representative of Iran stated: "The written response of my Government to the annex of the report E/CN.4/1989/26 is under way and as of this moment I can give you, Mr. Chairman and the distinguished audience, just a brief report on that." He then referred to the 140 names that did not appear in any official register.

71. In previous reports, the Special Representative examined arguments similar to that contained in the note of 26 June and made it clear that a distinction must be drawn between organizations that promote the submission of written reports and testimony, and persons who state that their fundamental rights have been infringed. Moreover no allegation can or should be excluded prima facie without consideration and examination. The main point is that the investigation relates to the rights of individuals; individuals are personally responsible for their words and deeds; they may or may not belong to the organization that takes it upon itself to publicize their testimony. The allegations relate to supposed infringements of the rights of private individuals, and the organizations which operate in some cases - and not constantly and systematically - as vehicles for the submission of data are excluded from the relevant procedure. It should further be recalled that the sources of information vary and no organization has a monopoly on the transmission of information.

72. It is regrettable that the Iranian Government should have expressed reservations concerning the answers required in order to continue the investigation with full knowledge of the facts. However, it is to be hoped that it will return to the previous position and fulfil its promises, since the answers form an integral and essential part of the full co-operation that was embodied in the consensus resolution adopted by the General Assembly.

73. The Iranian note went on to refer to the recommendation relating to conformity of the prison system with international standards and to the inadmissibility of subjecting detainees to unjustified or unnecessary harshness. The Iranian Government stated that it feels morally obliged to observe humanitarian considerations vis-à-vis prisoners and to avoid ill treatment, and that to this end it has made substantial efforts to ensure the rehabilitation of detainees and the development of their personality. This is, precisely, the standard of treatment of prisoners that is set in the various international instruments and whose correct implementation the Commission on Human Rights and the General Assembly wish to verify. On this basis of agreement, the competent organs of the United Nations have been requesting the Government of Iran to take into account the reports on torture and ill-treatment that have been transmitted to it, and to use them to supervise the correct functioning of the prison system, and consequently for investigation of the conduct of subordinates and to ascertain responsibilities as may be appropriate, and to take such compensatory action as may be due to persons who have suffered injury in breach of prison policy.

74. In the same note, the Government of Iran categorically denied that prisoners were tortured. It stated that they were treated in conformity with the Ta'zirat and the standards of Islamic law which have been the subject of consensus and implemented in other Islamic countries. These punishments must be assessed in conformity with international law, since the criteria demanded by the international community are in some cases at variance with very strict

interpretations of Islamic law, and international obligations are discharged only through compliance with the standards which the international community has established with the consent of all States Members of the United Nations.

75. Certainly, some senior members of the Iranian Government have, albeit occasionally, stated that their country complies with Islamic law and that they do not consider themselves obliged to try to conform to international law. On 20 October 1989, a senior official, speaking on Radio Tehran, stated: "Every day, the human rights organizations and associations accuse Iran of human rights violations on the basis of unfounded charges; they must understand that we follow Islamic law." On this point there is a fundamental divergence because the international system for the protection of human rights does not permit any exception based on internal legal systems; it is for each State to conform to international law. Neither the Constitution nor national law in general may constitute a valid exception or grounds for exemption from enforcement of international law. For a long time now, it has been well established in international theory and practice that the law of a particular country cannot function as a ground for excusing or justifying failure to enforce international law.

76. In Iran, very different views about human rights and the administration of justice have been expressed, and indeed by prominent persons competent in Islamic law. On 13 February 1989, for example, the London newspaper The Independent published statements made by a prominent Iranian in an open letter: "It appears that in most cases those executed had been serving short prison sentences for minor political offences." He declared his opposition to such sentences and said he was sure that many persons in Iran shared his view. In the same letter he pointed out that, under Islamic law, the families of victims could accept financial compensation instead of the death sentence for a person convicted of homicide. In this connection, he asked the following question: "If these executions have been carried out in the name of observing the retribution law, then where are the members of the families of those victims in whose name an act of revenge has been authorized?"

77. With regard to the imposition of the death penalty, the above-mentioned note states that the penal system in force places a very high value on human life and that the unjustified death of a single person is considered as tantamount to a cataclysm. The death penalty is imposed within the context of divine law, and in order to limit its implementation restitution (Diyeh) may be paid and an oath (Ghesameh) may be sworn. The note did not refer to the International Covenant on Civil and Political Rights, which imposes limitations on the power of each State to apply the death penalty. In the various reports prepared to date, reasons have been given as to why the imposition of the death penalty in the Islamic Republic of Iran is not in conformity with the relevant international provisions.

78. The note of 26 June included a statement of a doctrinal character concerning the method of enforcing the international obligations of States. The note stated: "Since the judicial system in each State is enforced independently, the Islamic Republic of Iran ... does not hold itself obliged to answer questions which directly violate this axiom." In its view, the division and independence of the highest organs of the State, in this case the Judiciary, create an exemption from the international obligation to report on alleged irregularities in the administration of justice. This question has been debated and resolved both by outstanding experts and by international

courts, and the solution, which has entered customary international law, embodies the rule which stipulates that the division and independence of the highest organs of States, including the Judiciary, do not give rise to exemption or exception with regard to compliance with the State's international obligations. Consequently, international law considers the State as a unit, and not as an entity divided into several parts, of which only the Executive would be answerable at the international level. If a State has problems deriving from its Constitution, the division of powers or the federal form of government, those are internal problems which it must resolve internally, but before the international community its obligations are evaluated in the light of international standards by which the State is conceived as the sole and indivisible subject of rights and obligations. Only by considering the State as an indivisible unit responsible for compliance with international obligations can international relations be placed on a sure footing.

IV. VISIT TO THE ISLAMIC REPUBLIC OF IRAN

A. Introduction

79. The visit to the Islamic Republic of Iran took place from 21 to 28 January 1990. Mr. Georg Mautner-Markhof, Chief of the Special Procedures Section, represented the Centre for Human Rights. Mrs. Leonor Sampaio, a human rights official, and Miss Carmen Cuevas, secretary, also took part in the mission. Mrs. Irene Abrahamian, an interpreter specializing in Farsi, helped the mission during all of the private and some of the official meetings.

80. When the news of the visit to the Islamic Republic of Iran was made public, the Special Representative began to receive extensive correspondence containing views, suggestions and requests on how the visit should be conducted. The correspondence came from Iranian exiles and expatriates, as well as from persons of other nationalities, human rights associations and four winners of the Nobel Prize for Science. Letters signed by 329 university professors and by academic and student associations were also received. In addition, 833 parliamentarians from Australia, Austria, Belgium, Canada, the Federal Republic of Germany, France, Italy, Liechtenstein, Luxembourg, the Netherlands, Norway, San Marino, Sweden, Switzerland, the United Kingdom and the United States, as well as members of the European Parliament and the Council of Europe, stated their views on the human rights situation in the Islamic Republic of Iran.

81. The Special Representative is grateful for the co-operation of all these persons, recognizes that their views and suggestions were of great value during the preparations for the visit and is encouraged by the fact that international public opinion, which is so important for the implementation of human rights throughout the world, is providing such strong support for the international system for the protection of human rights.

82. A request supported by prominent persons from many countries was that one or more members of the People's Mojahedin should take part in the mission. From the very outset, the Special Representative stated that he could not and should not include any person who was not a member of the staff of the United Nations Secretariat in general and of the Centre for Human Rights in

particular because that would jeopardize the objectivity of the mission and be totally out of keeping with well-established United Nations precedents. The Special Rapporteur gave the same answer to all persons and institutions which made the request, even shortly before the mission left for Tehran.

83. The visit was announced in advance in the Iranian media and the persons concerned were informed of the place where interviews would be held and of a telephone number they could call to make appointments. During the first few days, the interviews took place at the United Nations Programme for Development's office. Later, when groups of 100 or 200 persons blocked the entrance to the United Nations Development Programme's office and witnesses with appointments could not appear, interviews were held in the Hotel Azadi, where the members of the mission were staying. At the hotel, many individual testimonies were heard and two collective interviews were held, one with 100 persons and the other with about 50.

84. Groups of persons also gathered in front of the Hotel Azadi and asked to be heard. It was proposed that they should appoint representatives, but, at first, they did not agree to do so; a collective interview could not be organized because they all wanted to be heard individually and in private, but that was physically impossible because time was so short. On Friday, 26 January, most of those persons came into the lobby of the hotel and pushed and shoved the five members of the mission; some of them went upstairs, but not to the floor where the members of the mission had their rooms. The confusion lasted about three hours. It was Friday, the day of collective prayers, and it was therefore not possible to make contact with senior officials of the Ministry of Foreign Affairs as rapidly as would have been desirable. When the Ministry was informed of what was happening, the authorities proceeded to re-establish order and the mission was able to enter and leave the hotel without hindrance.

85. The Special Representative wishes to place on record his particular appreciation for the full, effective and constant co-operation which he received from Mr. Per Janvit, Resident Representative of the United Nations Development Programme in the Islamic Republic of Iran, and which went far beyond what he could have hoped for or expected.

86. The Special Representative took the initiative of requesting interviews with dignitaries who could give him information on human rights in the country. Mr. Mehdi Bazargan, Prime Minister of the first Government of the Revolution, accepted and the Special Representative visited him at his home. Ayatollah Montazeri, who lives in Qom, declined to be interviewed because he had other commitments. The Special Representative was prepared to travel to Qom. It had repeatedly been stated that Ayatollah Montazeri was under house arrest, but, through political opposition sources, it was possible to establish, that he is free and devoting himself to teaching.

87. The length of the visit was determined on the basis of United Nations precedents and, in particular, the programme of work of the Commission on Human Rights. Since the Commission began its work on 29 January, the report had to be ready a few days before the agenda item on the Islamic Republic of Iran was to be discussed. The drafting of the report and its translation into the working languages take several days. If the visit had been longer, the Commission would not have been able to consider this question at its forty-sixth session. In preparing its programme of work, the Commission

decided that the consideration of agenda item 12, which includes the question of the Islamic Republic of Iran, would begin on 19 February; and the Special Representative is to present the oral introduction to his report on that day, assuming, of course, that the report has been completed and translated into the working languages. There were thus only 20 days in which to complete all that work. The visit must be seen in a broader context because it does not in itself put an end to United Nations activities with regard to this case. This visit, which is the first, should be followed by a second visit.

88. The Special Representative acknowledges, commends and is grateful for the assistance he received from the Chief of the Special Procedures Section of the Centre for Human Rights, Mr. Georg Mautner-Markhof, who accompanied him to all the official visits, made timely and relevant suggestions and supervised the work of the other staff members. The Special Representative also acknowledges, commends and is grateful for the intensive activity and efficiency of the other United Nations staff members who accompanied him on the mission and who showed unlimited dedication and goodwill during the 15-hour working days the visit required.

B. Interviews with representatives of the executive, legislative and judicial branches of Government

89. In the morning of the day he arrived in Tehran, the Special Representative began the set of visits with senior officials of the Iranian Government. The visits were scheduled, as requested earlier, for the mornings and the hearing of testimony and other activities took place in the afternoons.

1. Preparatory meeting

90. In the morning of 21 January, a meeting was held to revise the schedule of work for the official contacts. The Deputy Minister for International Affairs, Mr. Manouchehr Mottaki, accompanied by Ambassador Tabatabai, Ambassador Nabi and Counsellor Alai, expressed the satisfaction of the Government of the Islamic Republic of Iran at the visit of the Special Representative and the officials from the Centre for Human Rights and stressed that his Government intended to extend its full and effective co-operation.

91. After agreeing on the programme for the official part of the visit, subject, of course, to changes which might be necessary in the light of circumstances, Mr. Mottaki referred to the international problems which the Iranian Revolution had faced since its inception and described some of the causes of the difficulties the Islamic Republic of Iran had had to deal with at the international level. He indicated that terrorism had begun one month after the Revolutionary Government had come to power and that the President of the Republic, the Prime Minister, the President of the Supreme Court, the Attorney-General, the Ministers of Roads and Transport, Telecommunications and Energy and more than 30 members of Parliament had died in a horrible terrorist attack. The Special Representative said that all the information on terrorism which he has received from the Government has been duly reflected in his reports.

92. Three important matters were discussed: detailed replies to the cases which the Special Representative has submitted and will continue to submit to the Government; the place of the Islamic Republic of Iran in the international community; and Islamic values. The Deputy Minister said that replies will be

given in respect of all the cases which have been or will be submitted. All the cases which have been reported since the conclusion of the 1989 interim report, as well as those reported during this visit, have been or will be transmitted to the Government so that it may provide detailed replies.

93. The Deputy Minister said that the Government of the Islamic Republic of Iran intended to take its rightful place in the international community. In this connection, the Special Representative drew attention to the importance of the invitation extended to the Special Representative of the Commission on Human Rights, of the clemency measures adopted and of a solution to problems relating to the implementation of human rights in accordance with international instruments.

94. The Deputy Minister then referred to Islamic values and their religious meaning and significance for the society and Government of an Islamic country. The Special Representative said that he fully respected Islamic values and considered that they were closely related to Christian values and international human rights instruments, although, in the light of developments, some adjustments might be necessary in order to bring them fully into line with international standards, since practice and interpretations sometimes give rise to inconsistencies. He also said that, in his opinion, such adjustments could be made without much effort in many cases, while, in other cases, further analyticial refinements would be necessary. The harmonization of the Iranian legal and administration system with international standards is possible and it could be the subject of a detailed study to identify sensitive issues and find appropriate solutions.

2. Interviews with the President of the Supreme Court of Justice and the Deputy to the Head of the Judiciary

95. In the morning of 22 January, the Special Representative visited the President of the Supreme Court of Justice, Ayatollah Moghtadaei, who described the structure of the judiciary and the general way in which it operates and answered the Special Representative's questions.

96. Ayatollah Moghtadaei began his statement by recalling that the Islamic Republic of Iran was very young and had been subjected to great pressure and adverse propaganda abroad. Despite such pressure and the eight-year war which had been imposed on it, it had been able to develop and consolidate its institutions. The judiciary is composed of five types of courts: (i) civil courts, one for important cases and one for less important cases; (ii) criminal courts, one for more serious offences and one for lesser offences; (iii) a civil court for individual matters (marriage, divorce, inheritance, etc.) and matters relating to religious minorities; (iv) military courts; and (v) revolutionary courts which try offences against the security of the State and offences involving terrorism, drug trafficking and the black market.

97. The Supreme Court is composed of 34 branches or divisions located in Tehran. Some of its members have more than 30 years of experience on the bench. The right of appeal is recognized and no exception is made in cases under the jurisdiction of the revolutionary courts. A lower court of first instance discusses its judgement with the competent division of the Supreme Court, although, once the judgement has been handed down, the accused or the defendant, as the case may be, may appeal to the Supreme Court. When there is

a difference of opinion between the lower court and the higher division, the lower court is not under any obligation to follow the opinion of the division and, if the difference of opinion continues, the case may be brought before another lower court. These procedures are applicable to any judgement and there is no exception in any case. More than one appeal may be lodged, provided that each one is based on different grounds. In addition, the Supreme Court is empowered to review all cases and, for this purpose, its President has three lawyers who assist him in considering court proceedings with a view to deciding which ones should be reviewed. The review procedure applies to judgements of the revolutionary courts.

98. With regard to the right to be defended by a lawyer, the President stated that, under the Constitution, all accused persons without exception are entitled to the assistance of a defence counsel who is authorized to exercise the legal profession; such counsel is provided by the State when an accused person cannot afford to pay him. With regard to the criticism by the Special Representative that some proceedings in which the death penalty is applied are far too speedy and do not allow time to ensure the guarantees of due process of law provided for in the International Covenant on Civil and Political Rights, the President said that proceedings may be speeded up in the case of offences against public decency, but, even then, the right of defence, the right of appeal and the other guarantees of due process of law are safeguarded. The Supreme Court gives priority to such cases and may hand down a ruling within two days. The judges are aware of the importance of guarantees of due process of law and consider that failure to ensure that they are safeguarded is not only contrary to the law, but also a sin according to the Islamic religion. They are guided by the principle that it is better to allow an offender to go unpunished than to convict an innocent person.

99. The President stated: "We do not claim that all our judges are perfect". He also said that a procedure had been introduced to monitor the conduct of judges and, when they do something wrong, they are liable to disciplinary measures and, in some cases, to punishment. The President agreed to the Special Representative's request for detailed information on two specific cases of punitive measures against judges who had failed in their duty.

100. The President said that no one was imprisoned for his political ideas and that all detainees were being tried or had been sentenced. The Baha'i lead normal lives and those who are in prison have committed some offence. "No one is in prison in the Islamic Republic of Iran simply because he is a Baha'i".

101. The President said that, during the first few years of the Revolution, some abuses were committed, as happens during all revolutions, but, at present, institutions, including the judiciary, are functioning normally and studies are being carried out to remedy shortcomings and errors in the enforcement of the law.

102. The conversation continued with Dr. Mehrpoor, Deputy to the Head of the judiciary, Ayatollah Yazdi. After expressing some general views on the publicity campaign being waged abroad against the Government of the Islamic Republic of Iran, Dr. Mehrpoor indicated that the experts in charge of legislative reform have taken account of the legal opinions which the Special Representative has stated in his reports. One case relates to criticism that account was not being taken of the amount of time the accused had spent in

prison before being sentenced and that the relevant legislative reform should include the rule that the amount of time a person spent in pre-trial detention after his arrest counted as part of his sentence, if the sentence was a prison term. The experts are also studying other recommendations by the Special Rapporteur to determine whether it is possible to incorporate them in Iranian legislation.

103. Dr. Mehrpoor emphasized in this connection that the country's legal system was based on Islamic values, a fact which was fully supported by the Iranian people. Certain rules which were clearly stipulated in the Holy Koran could therefore not be altered. On the other hand, questions such as the high degree of discretion given to judges in the present system were currently being discussed.

104. The Special Representative referred to the death penalty and to the restrictions and conditions provided for in the International Covenant on Civil and Political Rights and again stated the opinions he expressed and the recommendations he made in his reports. Referring to guarantees of due process of law, Dr. Mehrpoor agreed that they must be granted to all accused persons, including political offenders, terrorists and drug traffickers. He said that, in the case of the first offence, the death penalty was not applied to drug traffickers. The Special Representative asked for a copy of the relevant act and the regulations giving effect to it, which he received the following day.

105. In reply to a request for information, Dr. Mehrpoor said that there are three bar associations in the Islamic Republic of Iran, one in Tehran, one in Shiraz and the third in Azerbaijan, and that all three are functioning normally. The interview ended with a promise of co-operation in shedding light on any matters which were not clear, about which there were doubts or on which contradictory information had been provided.

3. Plenary session of the Supreme Court of Justice

106. The President of the Supreme Court of Justice, Ayatollah Moghtadaei, invited the Special Representative and the Head of the Special Procedures Section of the Centre for Human Rights to be present during the discussion and the ruling in the case being reviewed in accordance with the programme of work. The Supreme Court meets in plenary session one day a week, usually on Wednesdays, and discusses and rules on two or three cases. On 23 January 1990, the Court ruled on a case which, under Iranian law, is a private law matter, namely, fraud resulting from a cheque issued without sufficient funds. As the case involved civil and criminal elements, the judges of the divisions which hear civil and criminal cases were present.

107. The rulings by the court of first instance and the appeals division were not exactly the same and efforts were being made to find the right decision on the basis of the opinions in favour and against the judgement under review. No fewer than 12 opinions were heard; some stressed Islamic principles, while others were based on commercial law and arguments such as res judicata, the absence of deceit in issuing the cheque and references to the relevant articles of the Commercial Code and the difference between a cheque for immediate payment and a cheque for deferred payment.

108. After the President of the Supreme Court expressed his view, the discussion was closed and a vote was taken. Thirteen judges, including the President, were in favour of upholding the judgement under review, but the majority was not and the judgement was therefore overruled. Decisions taken by the Supreme Court in plenary session are binding on all courts and therefore constitute jurisprudence on which decisions in later cases are based

4. Interview with the Minister of Justice

109. The visit to the Minister of Justice, Hojjatolislam Shoostari, took place on the same day; he described his Ministry's functions as having one general purpose, namely, to protect public rights and public order. In reply to a question put by the Special Representative, the Minister said that all death sentences, including those handed down against drug traffickers and terrorists, have to be upheld by the competent division of the Supreme Court, even when the person concerned does not exercise his right of appeal. "No one is tried for his religion or his political opinions; only persons who commit offences against the law are brought to trial".

110. The Minister said that the philosophy on which the Iranian system of justice is based is not vengeance, but the punishment of the offender. In practice and as a result of the clemency measures that are frequently adopted, no one serves the entire sentence handed down against him. Most convicted persons have their sentence reduced and many do not serve more than one third of the sentence they received. Clemency measures are usually decreed at the time of New Years, on the anniversary of the Revolution and on the occasion of other religious holidays.

111. The Minister then reported that, during the Revolutionary Government's ten years in power, fewer persons have been executed than in the same amount of time under the previous régime. He complained that the Special Representative's reports contain enormous figures on persons who have been executed and on political prisoners, stating that, in his view, the information comes from enemies of the Revolution operating abroad. "These figures are wrong and they are a manipulation for propaganda purposes". The Special Representative said that his reports contain figures communicated to him not by one source, but by many sources, and that the official figures were not included because he had not received them; he also took the opportunity to draw attention once again to the fact that it is important for the Government to reply in detail to all the allegations communicated to it.

112. The draft Penal Code is being considered by the Parliament. The Code now in force was adopted for a trial period of five years and the new Code is to replace it. The Minister said that there were not many differences between the Code in force and the new one, but the Parliament might include further changes in the new Code.

113. When asked why passports were denied and so many complaints were made as a result, the Minister said that the issue of a passport was invariably prohibited because certain violations had been committed, but persons who had no trouble with the system of justice received their passports.

114. The Minister referred to the treatment of prisoners of war, which he described as absolutely proper.

115. The Special Representative indicated that, in his view, acceptance of regular visits by the International Committee of the Red Cross to prisoners in jails, including political prisoners and drug traffickers, would go a long way towards shedding light on questions relating to the prison system. The Minister did not specifically mention the suggestion that the Red Cross should have a broader role in the Islamic Republic of Iran, but concluded the conversation with a promise of full co-operation with the Commission on Human Rights and its Special Representative, stating that he hoped the Commission would treat all similar cases in the same way.

5. Public trial of five persons accused of murder

116. As he had requested, the Special Representative attended a session of the criminal court trying a case in which the death penalty was applicable. The victim's husband, two of his brothers and one of his cousins were accused of murder. The corpse had not been found, although other evidence indicated that the murder had actually taken place and the victim had not merely disappeared. The trial was heard by Judge Alisheari, a judge with 10 years' court experience. The Special Representative attended the second hearing and the trial was expected to last for several days more.

117. Under Iranian law, murder is a private law matter and opposes the accused and the victim's family. The charges may be dropped if financial compensation is agreed on or if a pardon is granted for some other reason. In this case, the murdered woman's sister offered pardon provided that the whereabouts of the corpse were made known. Both the accused and the family put their arguments to the judge to try to convince him to pass sentence in accordance with their allegations. The Public Prosecutor's Department does not take part in the trial, but the investigation is the responsibility of the police and of the office of the Prosecutor.

118. The father and a sister of the victim made impassioned allegations against the accused. The principal accused, the victim's husband, also took the floor to defend himself and again stated that he was innocent. The lawyer for the accused then made his plea. The Special Representative does not know what verdict was handed down, as the hearing in question was only one of several in the case.

6. Interview with the Minister of the Interior

119. The Minister of the Interior, Hojjatolislam Noori, received the Special Representative on 24 January 1990. The Minister referred to the successive aggressions directed against the Islamic Republic of Iran during its 10 years of existence. He said that, as soon as the revolutionary Government had taken power, it had held out a friendly hand to all nations and, in particular, to its neighbours, but its gesture had not met with any response. As a result of outside interference or assistance, a rebellion had broken out in Kurdistan and, in one of the many terrorist attacks that had occurred, the highest Government officials had been killed by an extremely powerful bomb. Those events had been followed by the foreign war lasting more than eight years and finally by the armed invasion in July 1988. In order to conceal the defeat of the invaders, a campaign had been organized abroad alleging that invaders captured on the battlefield had been executed en masse, together with imprisoned members of the same group.

120. The Minister deplored the selective criteria by which the international community judges human rights, as they apply only to some countries, while others avoid the monitoring procedure. There were indeed many problems of public order at the beginning of the Revolution, but the security and confidence of citizens has now been restored. Islamic law and the Government of the Islamic Republic of Iran respect human dignity and have organized the institutions of the Islamic Republic of Iran on the basis of that essential principle.

121. The Government of the Islamic Republic of Iran has made considerable efforts to meet the needs of the masses of refugees it has received from neighbouring countries and it has done so because they are human beings suffering tremendous hardship. The Islamic Republic of Iran has received 3 million Afghans and approximately 500,000 Iraqis. In addition, 2 million of its own population have been displaced from the areas where the eight-year war was fought.

122. The Minister said that the Islamic Republic of Iran has declared war on drug trafficking. Iranian territory has been used for the transit of hard drugs to Europe and drugs have poisoned many Iranian young people. Traffickers are frequently armed and are usually extremely dangerous. The Islamic Republic of Iran is helping Europe by its war on drugs, but it has not received any recognition for its efforts.

123. The Special Representative then put some questions to the Deputy Minister and to the Director-General for political associations and parties. According to their replies, warrants are required for all arrests except in cases of flagrante delicto. The time limit for the preliminary investigation is 24 hours, after which the case is transferred to the competent judge or the detainee is released. A warrant is also required for house searches.

124. There are three police forces: the police, the gendarmerie and the Islamic Revolutionary Committees. The latter are responsible for combating terrorism and drug trafficking. A bill has been prepared to combine the three police forces.

125. In 1982, an act was promulgated authorizing the activities of political parties in accordance with the law. Political parties had never before enjoyed legal recognition. During the early years of the Revolution, a number of parties opted for armed struggle and others attempted to split the country, but there was no lack of parties that played their genuine role. All parties are allowed to operate provided that they respect the Constitution and national independence. If they meet these requirements, they may be authorized.

126. A Commission composed of representatives of the executive, the Parliament and the judiciary is responsible for considering applications by parties for registration. In 1989, seven political groups were authorized, together with 10 groups representing religious minorities. The Commission meets regularly and is considering a number of applications on which a decision is pending. It authorizes political parties, groups carrying out political activities, social and cultural associations representing religious minorities, trade unions and professional associations and Islamic societies.

127. The Special Representative said he had been informed that the Association for the Protection of Freedoms and Human Rights had not been authorized, even though it had submitted its application some time ago. He was told that the application was being given preliminary consideration, would soon be dealt with by the Commission and might be decided on within three or four months.

128. The Special Representative asked what legal requirements a commission on human rights would have to meet in order to be authorized to operate. He was told that such a commission could be authorized provided that it met the two conditions set out above, namely, respect for the Constitution and for the country's independence, but, so far, no application had been received for the establishment of an association specifically concerned with safeguarding human rights.

129. The Director of the relevant administrative department added that two groups named the Association for the Protection of Freedoms and Human Rights and the Movement for Freedom are operating without legal authorization. The associations hope to be granted legal authorization, but, even without such authorization, they criticize the Government and no one interferes with them.

7. Meeting with the Special Prosecutor for Drug Trafficking

130. Hojjatolislam Zargar, Special Prosecutor for Drug Trafficking, said that the objective of the Government of the Islamic Republic of Iran was to encourage the development of a healthy and vigorous society and drew attention to the devastating effects of drug consumption. An act has been adopted to introduce legal measures in the war against the transport, distribution and consumption of hard drugs. The death penalty applies only to repeat offenders and is directly linked to distribution. The introductory paragraph of the act reads as follows: "The anti-drug issue has been widely discussed in various meetings held by the High Council for Matters of Expediency where as a result the Council ratified the anti-drug bill on Aban 3, 1367 (October 25, 1988) which bypasses lengthy formalities in deciding the cases of drug abuse and trafficking and where the complete details of the new law are as follows". The law contains 35 articles and a number of notes which, according to the Special Prosecutor, carry the same legal weight as the articles.

131. The Prosecutor said that poppies were not being grown in the Islamic Republic of Iran at the present time and that, at international meetings, the Government had requested that that should be proven by means of satellite monitoring. He presented two sets of samples showing the various kinds of drugs that pass through Iranian territory and described some of the tricks used by drug traffickers to mislead the authorities. The most recent seizure netted three tons of cocaine. The Islamic Republic of Iran is helping other countries to protect the health of their young people, but it received no recognition for its efforts.

132. The Special Representative raised the issue of the large number of persons sentenced to death for drug trafficking and recalled that, according to calculations based on information provided by official Iranian radio, over 1,300 persons had been executed in slightly less than one year. He also said that, according to information published by the weekly Tehran Times in its international edition of 7 December 1989, 14,000 drug traffickers were in prison and 900 were awaiting execution.

133. The Special Prosecutor replied that the figures were exaggerated and that not even he knew how many persons had been executed. The Special Representative said that the data were from official Iranian sources and that the article published by the weekly Tehran Times on 7 December 1989 cited the official news agency IRNA as its source. He expressed the view that the number of executions should be reduced considerably and many offenders should be rehabilitated to allow them to return to their place in society. The Prosecutor said that no public executions had taken place in the last five months and that criticism of the Government on that point was no longer valid.

134. The Special Prosecutor then referred to the allegation that political prisoners had been executed on the grounds that they were drug traffickers. He firmly denied the allegation, which had been circulating abroad for several months. The Government provides anyone who wishes to conduct a thorough investigation with case files proving that all those executed were genuine drug traffickers.

135. In connection with the statements made by witnesses in a previous report (A/44/620, para. 42), the Special Prosecutor made the following comments: (a) Nasser Mohammad Tachi, a political prisoner allegedly executed as a drug trafficker, does not exist, his name does not appear in any file and no one of that name has been executed; (b) the allegation that several executions took taken place in Monirieh Square is false, as that square has never been used for executions; (c) executions have taken place in Moshiri Square, but none of those executed were named in the report; (d) three executions took place in Hashemi Square, but none of those executed were named in the report. The Special Prosecutor read out the names of the persons executed in the above-mentioned squares. The Special Representative took note of the explanations and repeated his request that detailed replies should be submitted to the communications he had transmitted to the Government in the past several years. He said that the explanations he had just received confirmed the importance of such replies.

136. The discussion then turned to the question of excessively speedy proceedings which involved drug trafficking and which suggested that there was not enough time to ensure guarantees of due process of law. The Special Prosecutor denied that proceedings lasted between three and ten days, although he acknowledged that it was impossible to ensure due process of law in so short a time. The average duration of proceedings was seven months and, in extremely serious cases, five months. The Special Representative said that the source of his information on the time limits referred to in his reports was the Iranian Government itself, as a high Government official had mentioned those time limits in a radio broadcast. The Special Prosecutor said that not all high Government officials were well informed.

137. Lastly, the issue of the presence and functions of a lawyer in the defence of accused persons was discussed at length. The Prosecutor said that, under article 35 of the Constitution, all accused persons were entitled to a defence counsel. Although that was the rule, he said that, in some cases, accused persons refused to accept a defence counsel, while, in others, lawyers refused to take on cases because they considered them indefensible. Moreover, there was no sense in appointing a lawyer in cases of flagrante delicto in which the accused had confessed to the crime. The Special Representative said that, in his opinion, it was necessary to establish a procedure effectively to

ensure without any room for doubt that no accused person, unless he himself was a lawyer, was without a defence counsel; that, on the basis of that principle, it should be considered that the right to a defence counsel could not be waived; and that, if a lawyer refused to take on a case, others should be chosen until one finally accepted. Although it might sometimes be difficult to find legal arguments for the defence, there were always humanitarian reasons for asking if not for acquittal, at least for a lesser sentence. The law should also take account of the position of lawyers who refused without good reason to be court-appointed defence counsel, for that was part of their professional function and, just as doctors must not refuse to treat patients, so lawyers must not refuse to defend accused persons unless there was some serious impediment which the judge should clearly state. The Special Representative said that, if the rule was that no trial could begin or continue without defence counsel, it could be ensured that all accused persons had the necessary legal assistance for their defence.

8. Meeting with the Director-General of Prisons

138. On 25 January, the Special Representative visited Mr. Lajevardi, the Director-General of Prisons, who drew his attention to the significant improvements in the prison system made on the basis of the principle that the objective of imprisonment was not vengeance, but rehabilitation, that no one was naturally bad and that all persons were capable of being re-educated. Accordingly, prisoners had been provided with televisions, radios, newspapers, primary and secondary education, and even university education in some cases, as well as with workshops and religious instruction. Religious instruction had yielded extremely satisfactory results in terms of the moral reform of prisoners. Doctors, psychiatrists, social workers and other specialists were on hand to apply three methods of rehabilitation on an experimental basis. Psychotherapy was yielding the best results with regard to the rehabilitation of prisoners.

139. The Director-General said that his office consisted of four divisions: cultural, judicial, financial and law and order. He reported that clemency measures were adopted each year and showed voluminous files containing data on prisoners who, once their behaviour had been evaluated, would benefit from such measures within a few days.

140. In reply to a question by the Special Representative, the Director-General said that persons convicted of terrorism and drug trafficking benefited from improvements in the prison system on equal terms with ordinary offenders. Drug addicts were initially detained for two months, during which time they were helped to give up the habit, but, if they relapsed, they were sent to labour camps which operated as rehabilitation centres. There was no central register of prisoners in Iran and each prison kept its own register.

9. Visit to Evin prison

141. In the afternoon of 25 January, the Special Representative visited Evin prison. He first went to a workshop and then to other parts of the prison. He was welcomed on arrival by a choir and a small band made up by prisoners.

142. After visiting several workshops, where he learned that prisoners who work earn wages, the Special Representative talked with five prisoners who were waiting for him in a room. They said that they were all former members of the People's Mojahedin organization who had taken part in the July 1988 invasion and had been sentenced to death, although their sentence had later been commuted to 20 years' imprisonment. The Special Representative spoke with other convicts chosen at random in the corridors, one of whom said that he had been a high-ranking military officer in the armed groups that had invaded Iranian territory in 1988. Many of the prisoners had apparently belonged to the above-mentioned organization and their death sentences had been commuted to 20 years' imprisonment. They all gave their names, but requested that they should not be revealed.

143. Three former members of the Tudeh Party, Mr. Kianouri, its former Secretary-General, and two other members of the party, one a high-ranking member and the other a grass-roots member, were in one of the cells. Mr. Kianouri allowed his name to be used in the report, but the two other prisoners did not. Mr. Kianouri hotly denied that he had spied for a foreign power and conspired to overthrow the Revolutionary Government. In the presence of Evin officials and employees, he said that he had been tortured, showed his partly paralysed hands and crushed fingers and described the beatings and other humiliations he had suffered. He was genuinely distressed and his attitude was a mixture of protest and despair.

144. The youngest of the three, who was a grass-roots member of the party, said that his party had spied for a foreign power and conspired to overthrow the Government, an assertion which was firmly denied by the other prisoner and led to sharp words between them. The high-ranking member calmly described acts of torture. He had been in prison for 25 years under the Shah and in Evin for 7 years. The three prisoners share the same cell.

145. The Special Representative then visited a women's section, which is separate from the men's and where the prisoners he questioned said that the circumstances of their trial and imprisonment could be described as normal. They had neither been tortured nor subjected to ill-treatment and, in prison, they were able to use the facilities described by the Director-General.

146. During his visit to women's section 7, the Special Representative saw a seven or eight-year-old child and immediately tried to determine what she was doing in the prison because he assumed that she might be the child who, according to a statement he had received in Geneva, was still in prison because her mother had escaped. According to the explanations he was given, the child he saw lived with her family, but had come to visit her mother, who was serving her sentence. She was the only child the Special Representative saw in Evin.

147. The Special Representative asked for permission to visit the prison basement and was told by the Director that there was no basement at Evin. The prison was located on a steep slope at the foot of the mountain and, from above, the first floor seemed lower, so that people usually referred to it as the basement, but it was obvious that they meant the first floor.

148. While visiting the cells, the Special Representative asked for permission to visit Mr. Roger Cooper, a British citizen who has been in prison since December 1985. His request was turned down by the Director of Evin on the grounds that the prisoner was a self-confessed spy who was in solitary confinement and whose sentence had been handed down a month earlier and was currently being translated from Farsi into English. In reply to the Special Representative's question concerning the penalty to which the prisoner had been sentenced, one of the prison officials said that he had been given 10 years in prison, but the Director said that he was not sure exactly how many years he had received.

149. The Special Representative asked to visit the prison records office. He examined the card file and then gave the names of 12 persons who were in the prison, according to information he had received earlier, and who would constitute a sample, as their cases were all interesting and different. The name of only one of the 12 persons was in the card file and the Director of the prison ordered that the files, which were in another office, should be consulted. After a few minutes' wait, the Director said that the other office was closed because it was Thursday afternoon and the person in charge had left, since Friday was a day off. The Special Representative asked to be able to speak with four prisoners whose presence in Evin had been confirmed. The four appeared to give their testimony in private, but they requested that their names and testimony should not be published because they hope to benefit from clemency measures quite soon.

10. Visit to Parliament

150. The Special Representative visited Parliament, where he spoke with a group of deputies that included representatives of the officially recognized religious minorities, namely, the Armenians, Assyrians, Jews and Zoroastrians. Most of the conversation was with Mr. Rajai, former Permanent Representative to the United Nations and now Chairman of the Parliamentary Commission for Foreign Affairs.

151. Ambassador Rajai explained that candidates for the post of deputy are all individual candidates, not party candidates, and that, once they have been elected, they choose one of the two groups to which members of Parliament belong, the extremists and the moderates, although the blocks are not immovable since a deputy can take the extremist line on some matters and the moderate line on others.

152. He said that, at the beginning of each session, two deputies may speak on any topic for 10 minutes each. They choose the topic freely and then the items on the agenda are dealt with.

153. The Parliament divides its work up among commissions and sub-commissions. Each ministry has a commission to examine its affairs, but there are more commissions than ministries. Each commission is composed of 13 members.

154. The people choose between individuals, not between parties. Each individual conducts his own political campaign and candidates may form alliances to support one another. Representatives of the religious minorities are elected by their respective communities, but they represent the people as a whole on the same footing as other deputies.

155. At the request of the Special Representative, Mr. Rajai described the new Penal Code and its contents. The Code is currently being reviewed by the relevant commission, although it has already been the subject of close scrutiny by experts, and, if it is adopted by Parliament, it will then be referred to the Council of Guardians. It is not yet possible to know what final text will be adopted.

156. At the end of his visit, the Special Representative attended a plenary session of the Parliament.

11. Round table at the Ministry of Foreign Affairs

157. Ayatollah Jennati, a member of the Council of Guardians, chaired the round table which was attended by other members of the Council, the Director of the Inspectorate General, the Deputy to the Head of the Judiciary, the Chairman of the Bar Association and officials from the Ministry of Foreign Affairs.

158. Ayatollah Jennati explained that the Council of Guardians, which is composed of six legal experts and six religious authorities, is responsible for validating the laws adopted by Parliament in order to ensure that they are constitutional and in keeping with Islamic principles. The Head of the Judiciary appoints the legal experts, while the religious authorities are appointed by the Leader. The laws cannot be applied without the approval of the Council of Guardians.

159. The Government draws its legitimacy from the Leader, whose human and intellectual qualities are defined by article 109 of the Constitution. The Leader is chosen by a popular movement from among the country's most oustanding religious dignitaries. The Assembly of Experts, which is elected by the people for eight years, is empowered to amend the Constitution and to dismiss the Leader if he is no longer fit for office.

160. Ayatollah Jennati stated: "The Revolution is based on Islamic principles, the degrees of the Prophet, the Koran and tradition emanating from the Prophet. These principles are compulsory and can admit no compromise. In contrast with other countries in which secular principles prevail, religious principles play a leading role in the Islamic Republic of Iran. The Revolution that occurred in Iran has been under constant threat from those who wish to destroy it. It is difficult for those who live in a peaceful environment to understand this situation. As long as these points are not understood, it will be impossible to solve the problems".

161. In reply to a question on the role of international law in that context, Ayatollah Jennati said: "Any rule of international law that is not contrary to Islamic principles can be accepted, but a rule which flagrantly violates those principles will have to be rejected by the Islamic Republic of Iran. If it has to make a choice, the Islamic Republic will choose Islamic principles". He said that an Islamic book dating back several centuries had been recognized as a source of international law. He also pointed out that Islam attached greater importance to human rights than was the case in many countries and that a draft Islamic declaration on human rights had recently been prepared by experts meeting in Tehran.

162. The Ayatollah replied affirmatively to the Special Representative's question whether he considered it worthwhile to prepare an academic programme designed to identify points of conflict or potential disagreement between international law and Islamic law.

12. Meeting with the Deputy Foreign Minister for Legal and Consular Affairs

163. The Special Representative also met Mr. Mir Mehdi, Deputy Foreign Minister for Legal and Consular Affairs, who was accompanied by several senior officials in the Foreign Ministry. The Deputy Minister informed the Special Representative of the constitutional provisions governing the legislative process and according to which laws may be proposed both by members of Parliament and by the administration in the form of Government bills. Government bills have to be ratified by the Council of Ministers. All proposals have to be examined by the relevant parliamentary commissions or sub-commissions. After their adoption by the plenary, laws have to be approved by the Council of Guardians (see para. 158) and are subsequently promulgated by the President and published in the Official Gazette. They are enforceable 15 days after their publication. The Government can formulate procedures for the practical implementation of laws.

164. The Deputy Minister also handed the Special Representative eight folders containing letters and documentary material submitted by the Organization for Defending Victims of Violence as follows:

(a) One folder containing some 100 letters of identical content from persons whose family members were victims of terrorist attacks. The letters are individually signed and the relatives ask that the Mojahedin who are responsible should be brought to trial and request payment for the damage they have incurred, as well as blood money.

(b) One folder containing 66 letters denouncing acts of terrorism by the Mojahedin.

(c) Several pamphlets issued by the above-mentioned organization.

(d) A summary of reported acts of terrorism as claimed by the Mojahedin organization since 1982.

(e) A folder containing a letter from the above-mentioned organization listing 268 names of disappeared persons who were reportedly seen on television abroad and alleging that the Mojahedin organization used these persons as mercenaries and spies against the Islamic Republic of Iran.

(f) An account of a bomb explosion in Parliament in 1982 which killed 72 persons.

(g) Over 100 letters signed "victim family" denouncing the killing of relatives by the Mojahedin with clippings from the Mojahed newspaper claiming responsibility for the killings.

(h) A video cassette containing a documentary of a bus explosion in Shiraz in 1981.

(i) A folder containing signatures of families of alleged victims of Mojahedin terrorism.

13. Meeting with the Minister for Foreign Affairs

165. The meeting with Mr. Ali Akbar Velayati took place almost at the end of the visit, so that it was possible to review the activities carried out.

166. The Special Representative again raised the question of executions and guarantees of due process of law. The Minister showed him a map of the Islamic Republic of Iran and indicated the route followed by drug traffickers across a desert which runs through the country from east to west and almost reaches Tehran. No conclusion was reached on the matter at that time.

167. The Minister proved immediately receptive to other suggestions. For example, it was requested that the International Committee of the Red Cross (ICRC) should regularly visit all prisons and monitor the treatment of all prisoners, including political prisoners. The Minister replied that he would instruct his assistants to initiate discussions with ICRC for that purpose. The suggestion that the Centre for Human Rights might provide the Government with technical assistance to improve the administration of the prison system and to train executive officials in the implementation of human rights in accordance with international standards met with a similar response. The Minister also said that he was prepared to consider requests for clemency submitted to him by the Special Representative on humanitarian grounds. The following day, the Special Representative submitted such a request, which is reproduced in the relevant part of this report (see para. 16).

168. The Minister said that his Government was willing to establish broader co-operation with the United Nations in general and with the Commission on Human Rights in particular. The possibilities that broader co-operation might offer in the immediate future were then discussed.

14. Final meeting

169. On 28 January, after hearing several witnesses at the United Nations Development Programme's office and seeing documentary films at the Ministry of Foreign Affairs on the arrival and the funeral of Imam Khomeini and on a bomb explosion at the President's office, a brief final meeting was held with officials of the Ministry of Foreign Affairs. The Deputy Minister, Mr. Manouchehr Mottaki, Ambassador Tabatabai and Mr. Alai were present. The Deputy Minister summed up the Government's points regarding human rights. He described the recent hijacking of an aeroplane in the provinces as an example of terrorism in the country.

170. The discussion then turned to another step the Government might take to improve co-operation with the Commission on Human Rights. For this purpose, the Special Representative said that detailed replies to all the communications transmitted would be a token of broader co-operation and, in this way, it would be possible to proceed with inquiries into cases which are at the preliminary stage of investigation.

171. The Special Representative handed Mr. Mottaki an aide-mémoire containing the following complaints received: information that, in the course of his stay in Tehran, some persons were threatened and others arrested; and the case of two women who had gone to the United Nations Development Programme's office and had not returned home. These reports were received over the telephone. The Government was requested to take positive action.

C. Information received by the Special Representative from non-governmental sources

1. Oral information

172. In accordance with previous practice, the Special Representative received oral testimony during his visit to the Islamic Republic of Iran from persons claiming to have first-hand experience of the human rights situation in the country. Such hearings were due to take place at the UNDP Office in Tehran. However, on Monday, 22 January 1990, tumultuous demonstrations began which impeded the access of witnesses who had previously asked for appointments to the building where the UNDP Office is located. The demonstrations later also spread to the hotel where the Special Representative was staying, so that it became impossible to hear all those who had wanted to see him. On the other hand, many of the demonstrators also asked to be heard by the Special Representative and, given their large numbers, he could only accept such requests at random and hear two large groups collectively. Summaries of the oral testimonies received are given below.

Executions

173. Mr. Kianouri, former Secretary-General of the Tudeh Party, denounced the execution of thousands of young people whom he considered totally innocent. Although they had been accused of collaboration with the Tudeh Party, he considered himself exclusively responsible for any crimes ascribed to the Party. He handed the Special Representative a copy of a letter he had sent in this regard to the leader of the Islamic Republic of Iran, Ayatollah Khamenei.

174. Moteza Nosrati reported the execution of his brother Gholam Reza Nosrati in 1367 (1989), then 26 years old, on the charge of political activities. He said that his brother had been a member of the Arman (Shariati) organization which had promoted opposition to the Government by peaceful means. Afterwards he had joined the Mojahedin but had never been involved in acts of violence. After his arrest in 1361 (1983), he was sentenced to eight years' imprisonment. When the detainees at Rasht prison, where he was held, protested against the refusal of family visits, a group meeting of prisoners with their families was arranged by the authorities. During that visit many prisoners took off their clothes so that their relatives could see the extent to which they had been tortured. After this incident all visits were suspended and one year later Gholan Reza Nosrati was executed. The family was informed of the execution only five months after it had taken place.

175. One witness who requested that her name should be kept confidential stated that her son, 18 years of age, was involved in the Islamic Revolution, but later joined the Mojahedin. The first attempt to arrest him was at his house, but he escaped. Two months later he was arrested in the street in the early hours and executed the same evening. She read about the execution in

the newspapers. The witness suggested that the Special Representative should visit the cemetery of Behest Zahra on the outskirts of Tehran where, on Thursdays, many mothers of executed persons mourn together at the mass graves where their children were buried.

176. Another witness who requested that his name should be kept confidential reported the death of his son who was executed in the third quarter of 1989 (1367). His son was arrested in 1360 (1982) and accused of sympathizing with the Mojahedin. Originally he had been condemned to nine years' imprisonment, but was executed at the end of seven and a half years. The witness had no knowledge as to whether or not a second trial had been held prior to the execution.

177. Another witness who requested that his name should be kept confidential stated that he had been an active supporter of Ayatollah Khomeini. Nevertheless representatives of the Revolutionary Committees had broken into his house and arrested seven of his children. They were accused of belonging to the Mojahedin, but this accusation was not corroborated by any evidence. After the war, one and a half years ago, five of his children were executed in a wave of executions of some 20,000 prisoners. Two sons were still in Evin prison, one of them sick and the other paralysed as a result of torture.

178. Another witness who requested that her name should be kept confidential stated that three men arrested together with her during a demonstration in Isfahan were executed. In one of these cases, information from Tehran was received later that he had been sentenced to six months only. According to the witness the governor was writing execution orders without awaiting the sentences. A 50-year-old woman known in the city of Shahroud as Mother Eftekhari, who was just a passer-by at the time of the demonstration, was also arrested, severely tortured physically and psychologically and executed after 50 days. While in jail, the witness met a girl who was later executed because she had sung a Mojahedin song.

179. A father and his daughter, who requested that their names should be kept confidential reported the execution in June 1988 of his son. He had been arrested while in possession of Mojahedin publications, but had consistently denied being in any way associated with that organization. When the father inquired from the judge, Mr. Lajevardi, he was informed that there was no charge against his son. Nevertheless, he was kept in prison for nine years and was severely tortured. In November 1987, prison visits were suspended. In June 1988, the family received a call that they could go and visit the son. When the father arrived at the jail, he was beaten up and told that his son had been executed. They were referred to a mass grave without names and, although they searched for the body, they were not able to find the corpse.

180. Two witnesses who requested that their names should be kept confidential reported the execution of their brother and son respectively. He was a soldier who had deserted from the front and had become a member of the Mojahedin. He was imprisoned in the province of Khlalkhal in 1365 (1987) where he was allegedly tortured. During the time he was under arrest, the family tried to find an attorney for him, but the authorities said there was no need for it. The family was advised that he would be tried 10 days after his arrest, but he was executed by public hanging before that time had elapsed. The witnesses further stated that he was buried together with

another executed person in a remote mountain area. However, another brother dug up the body so as to give it a proper burial. The local Islamic Revolution Committee continued to harass the grandfather of the executed person and to search his house. Furthermore, an uncle was arrested and became handicapped as a result of beatings inflicted upon him at Sepah prison.

181. One witness who said that she was the daughter of a Mullah from Mashad but did not want to disclose her name, alleged that a Mullah by the name of Ardabili had ordered the execution of 24 prisoners in Mashad without any prior judicial procedure. Only one month ago two groups of 17 and 15 persons each had been hanged on drug trafficking charges and their bodies had been disposed of in the city's sewage system.

Denial of alleged executions

182. Gholan Reza Bagheban stated that he had been arrested four times: his last arrest had taken place four years ago when he was held at Ahwaz prison. He had always been very well treated. During his time in prison, he saw his name in a Mojahedin publication, included in a list of people who supposedly had been executed. The witness affirmed that he knew of many similar situations and at the Special Representative's request offered to provide him later with a copy of the Mojahedin publication in which his name had appeared.

183. Another witness who requested that her name should be kept confidential stated that one of her friends (name not provided) had been listed by the Mojahedin as executed, but in fact was still alive.

184. Several persons belonging to a group of 78 people heard collectively by the Special Representative stated that their names had appeared in lists of executed persons published by the Mojahedin organization. At the request of the Special Representative, four of them were able to present their identity papers. The names of these persons are as follows: Ismail Zarei, Mahmoud Reza Said Nejad, Soghra Farhadi and Behnam Garai. The latter three provided corresponding pages of the Mojahedin newspaper.

Acts of terrorism

185. Reza Djamshidi Miandashti complained about the killing of his 16-year-old son in Shalamtcheh by the Mojahedin. At the age of 14, he had voluntarily gone to the war and had fought for his country until he was killed by the Mojahedin.

186. Mr. Madjid Valizadeh stated that he wished to complain about the terrorist activities of the Mojahedin organization. He said he knew of several such incidents, including the case of a person who was skinned alive and of another who was burned alive during Mojahedin attacks against villages in the north of the country. He applauded the efforts of the Government in the economic, cultural and educational fields and inquired why the United Nations had not sent representatives to investigate such serious situations as the use of chemical weapons by the Iraqi army or the recent invasion of Panama by the United States of America.

187. A witness who wished to have his name kept confidential described himself as an "independent citizen". He stated that human rights were fully respected in the Islamic Republic of Iran. The Commission on Human Rights should rather have appointed a Special Representative for the situations in Panama and Azerbaijan. He wanted to protest about the Mojahedin and the attitude of the United Nations vis-à-vis the Mojahedin which he felt had not been impartial. He said that the Government was clement; on the other hand the Mojahedin were violent. He had witnessed two men attack a food shop and kill the owner only because he was a Hezbollah (partisan of God). The witness said that the persons who were asking to see the Special Representative had a very low level of education. Often they had lost a child one way or another and just wanted to voice their grief.

188. Another witness who wished his name to be kept confidential complained about the assassination of his father, a shopkeeper, by the Mojahedin. He said the sole reason for this murder was the fact that his father had been a very religious man. The assassin was arrested, but did not seem to repent his crime. The witness believed that he was later executed. The witness also stated that his uncle was killed by the Mojahedin because he was collecting food and clothes for men fighting in the war.

189. Another witness, who requested that his name should be kept confidential reported the death of his brother in 1360 (1982). The brother was a Hezbollah and was assassinated by the Mojahedin for this sole reason. Two attempts were made on his life. In the second, he was killed in the street with a machine gun.

190. A group of six persons representing 78 people whose relatives had allegedly been assassinated by the Mojahedin complained about the barbarous way in which these killings had been carried out. They stated that, in their opinion, every Mojahed had killed at least 100 persons. The witnesses felt that the United Nations should severely condemn the Mojahedin organization. One person in the group said that in her family four people had been killed by the Mojahedin and that her son, before dying, had his two legs amputated. The witnesses also critized the allegations by the Mojahedin concerning executions and torture in the Islamic Republic of Iran. In this connection, they suggested the creation of an international commission under the auspices of the United Nations to investigate the conditions in Iranian prisons.

191. A group of 68 persons, including some 20 Kurds, asked to be heard by the Special Representative. Several of them recounted their personal experiences as ex-members of the Mojahedin or as victims of Mojahedin terrorism. Some of them stated that the Mojahedin organization had induced them to show self-inflicted burns or other marks of torture in order to enhance the false propaganda spread by the organization. Others denounced various acts of terrorism by the Mojahedin which ranged from the killing of individual persons to the invasion of entire villages causing the death of many people. They asked the Special Representative to inform the world about the real nature of Mojahedin activities in order to increase trust for the United Nations among the Iranian people. A number of testimonies concerned people who had been included in lists of executed persons published by the Mojahedin, but were reportedly alive. Four participants in the meeting declared that their names had appeared on such lists and, at the request of the Special Representative, presented their identity papers (see also para. 184).

192. Another group of some 60 Kurds and Turkomans were also received by the Special Representative at their request. Several Kurds reported crimes allegedly committed by armed groups of the Kurdish Democratic Party which according to them comprised 2,000 to 3,000 members and was supported by the Iraqi Government, as well as by armed groups of the Komala Communist Party, which had some 700 members. The terrorist activities of the latter were far more serious since they attacked entire villages and, in contrast to the Kurdish Democratic Party, refused any negotiations with the Government. A person from Paveh (Kurdistan) related how he was abducted and tortured by members of the Democratic Party and how they had fired at other civilians with rockets. Another person from the same city referred to the attack on a hospital, 10 years ago, by 1,700 members of the Democratic Party who had not even respected the symbol of the Red Crescent. He wondered why the Special Representative had not visited the area at that time. A Sunni (Hannafi branch) from the Turkoman desert alleged that Mojahedin groups tried to arouse anti-Shia feelings in his region by spreading false propaganda financed by Saudi money. He stressed that the Government was actively supporting religious activities by the Sunni minority. He also reported the destruction of houses in a village of his region by terrorist groups. Other crimes allegedly committed by the Mojahedin were reported by a person from Western Islamabad, including incidents of mine-laying, the placing of bombs in cars and buses and the assassination of six members of the same family in Ghalashahin. All these witnesses were unanimous in condemning terrorists acts by the Mojahedin and requested the Special Representative to report the situation to the international community.

193. Another witness who requested that his name should be kept confidential said that he was detained from 1360 (1982) to 1362 (1984) in the prison of Mashad. He was a member of the Mojahedin organization when he was arrested, but, since then, he had realized how wrong the objectives of the Mojahedin were. The witness believed that any action initiated by the United Nations should be balanced and one of the main objectives should consist in shedding light on the many crimes committed by the Mojahedin.

194. Another witness who requested that his name should be kept confidential stated that he was a member of the Mojahedin. He was detained the first time in 1359 (1981) for four months and again from 1362 (1984) to 1367 (1989). He was held in Ahwaz and Mashad prisons and in the prison of the Sepah. The witness described himself as being very active politically, even before the Revolution. He declared that the Mojahedin were making the lives of their imprisoned former comrades very difficult since they had left the country and exploited them from abroad. The Mojahedin deliberately misled people about prison conditions. Despite the fact that he had been involved in armed struggle, he was allowed to see his wife who was arrested together with him already three days after their arrest.

195. Another witness who requested that her name should be kept confidential considered herself a victim of both the Mojahedin and the Islamic Revolution. Her husband had collected arms in preparing for the Revolution against the Shah. After the Revolution, he supplied some arms to the Mojahedin and was arrested and executed. She was also arrested but released after three years of imprisonment and found herself, left alone with three children, in a desperate situation with no help whatsoever from the Government or the Mojahedin. She felt that her's was a typical example of how the Mojahedin treated their former supporters.

196. Four other witnesses who requested that their names should be kept confidential were also heard individually. They stated that they had been former members or sympathizers of the Mojahedin organization. They had repented and, after having served prison sentences, were released. They said that in prison they had always received decent and humane treatment. They denounced various atrocities committed by the Mojahedin and felt that the Special Representative should inform the international community of the brutal terror unleashed by that organization against innocent citizens. One of the witnesses, while making his oral deposition, wrote a note to the Special Representative indicating that he had been forced to state the above and that many ex-prisoners had been induced by the authorities to make similar statements under threat of execution if they denounced their real experiences in prison.

Torture

197. Ali Akbar Ghaffari stated that he had belonged to the military faction of the Mojahedin. He had been detained from 1361 (1983) to 1366 (1988) in Ahwaz prison, where he had never witnessed any torture or been subjected to it himself, although from time to time the wardens treated detainees roughly or occasionally slapped them. He was sentenced to life imprisonment but his sentence was subsequently commuted. He stated that prison facilities were excellent, that food had been abundant and that he had received family visits regularly.

198. Mr. Kianouri, former Secretary-General of the Tudeh Party, denounced that he has been kept in jail for 10 years, seven of which he spent at Evin prison. He said that he was tortured several times and as a result his hands were partly paralysed. During his trial, he was not given the opportunity to avail himself of a legal counsel.

199. Mr. Tavassoli, a former Mayor of Tehran and member of the Movement for Freedom, related his experience during his detention of nine months, eight and a half of which he was forced to spend in solitary confinement. He said that he was beaten, insulted, intimidated and forced to remain in cold cells or seated on the same chair for long hours. The purpose of such practices was to make him confess things he had never done (see also para. 208).

200. Another witness who wished his name to be kept secret said that he was arrested twice. The charges brought against him were financial support for the Mojahedin (first arrest) and writing Mojahedin slogans (second arrest). The first time he was detained from 1360 (1982) to 1365 (1987) in Tehran (Committee and Evin prisons). He stated that on both occasions he was severely tortured. In Evin he was in section 4 where detainees were frequently tortured. According to his knowledge section 7 of Evin prison was even worse as far as torture was concerned. The worst treatment to which he was subjected was the following: he was tied to a wire bed and beaten up for an extended period until losing the capacity to cry; he had almost fallen unconscious. He described in detail the kind of beatings inflicted upon him and how gradually the sensitivity of the body decreased during the beatings. Lashes on the soles of the feet were a frequent practice. He also said that for long periods he was kept in solitary confinement with reduced food rations.

201. Another witness who requested that her name should be kept confidential stated that she had been arrested in 1362 (1984) and freed in 1367 (1989). She had been a member of the Mojahedin and was involved, as was her brother, in armed struggle. She was sentenced originally to 12 years but her sentence was commuted at the time of the general amnesty. She stated that she was not tortured in prison. According to the witness, the Government seemed to know all the activities of the Mojahedin and had no need to torture the prisoners to obtain information. The witness stated that she was allowed to attend school classes while in prison. Her husband was condemned to death but his sentence had also been commuted. She said that she could visit him once a week in jail and that all married couples were entitled to private visits.

202. Another witness who requested that his name should be kept confidential stated that he had joined the Mojahedin in 1359 (1981). In 1361 (1983), all leaders of the Mojahedin started going abroad and left in his house a cache of arms. One night in 1362 (1984), he was arrested together with his wife and baby. He feared that they would be executed because of the importance of the arms cache in their house. However, they were detained only for seven months at Gorgan jail. Later he was arrested for a second time and served a nine-month term in prison. He said that while in prison he did not suffer any torture or ill-treatment other than what was envisaged under Islamic law, mentioning lashing by way of example. His wife and child received good medical care.

203. Another witness who requested that his name should be kept confidential described himself as an ex-Mojahedin who had been involved in armed struggle. He was arrested by the guards and shot in the foot. He was first brought to Evin prison. After the treatment for his injury, he was transferred to Ahwaz. He was in prison from 1361 (1983) to 1365 (1987). His sentence had been commuted from 10 to 7 years. Currently he worked for the Government. During his time in prison he had not seen or heard of any cases of torture except occasional slapping.

204. Another witness who requested that his name should be kept confidential declared that he was arrested in 1364 (1986) in Sanandaj accused of sympathizing with the Mojahedin and was later transferred to Tehran, where he was held at the Committee and Evin prisons. He said that he stayed there for nine months in inhuman conditions which he described as follows: cells 1.5 by 2 metres in size held 4 to 5 people and cells 3 by 5 metres in size as many as 40 people. The lights were always on and family visits very rare. According to the witness, about 90 per cent of the inmates he met had been either severely tortured or submitted to treatment akin to torture. He himself was tortured by whipping with cables. When he fell unconscious, cold water would be sprinkled on his face. Another common method of torture was to whip the soles of the feet of prisoners and then force them to walk. A variant of this torture was to dress the wounds and pull the dried dressing off the soles. The witness also said that his trial took five minutes and after serving his sentence he was on probation for three years. Although the three years are over he still has to report to the Islamic Revolution Committee once a month. In his family, three people had been executed: a brother and two cousins.

205. Another witness from Isfahan who requested that her name should be kept confidential was arrested in 1360 (1982) while participating in a demonstration. She spent four years in the following jails: Ghezel Hessar, Karaj, Semnan, Ghom, Shahrood, Isfahan. After her arrest together with 27 other women and 24 men six women were kept in cells originally designed for one person. At Ghezel Hessar prison, the door would be opened only one time a day to let them go to the toilet. Their hair was cut and 30 lashes per person were a frequent form of punishment. They were also taken to a corridor and forced to crawl while guards kicked them. One handicapped woman by the name of Zahra Gorgani was brutally whipped. The witness also reported the case of a mother arrested together with her two-months-old baby. The baby grew up in prison.

206. Another witness from Mashad who requested that her name should be kept confidential referred to her five years' imprisonment in Evin prison. She had originally been sentenced to nine years on the charge of having contacts with Palestinian groups, but her sentence had been commuted to five years. She said that during her imprisonment lashing on the soles of the feet had been a common occurrence.

207. Another witness who requested that his name should not be disclosed alleged that he had been tortured at Evin prison, where he had spent several years. The practices inflicted upon him consisted of whipping, being hung from the ceiling, being handcuffed or kept awake during extended periods. He had reported these practices to the authorities on a form which had once been circulated to the prisoners by the prison administration.

Administration of justice

208. Mr. Tavassoli, a former Mayor of Tehran and leading member of the Movement for Freedom, reported his arrest in June 1988 by a group of armed persons who broke into his house, took all his personal belongings, many of which had still not been returned, and brought him to Towhid prison where he was interrogated during five and a half months by agents of the Ministry of Information. He stated that he was not informed of the charges against him as required by article 32 of the Constitution and was not presented to a court within 24 hours, as stipulated in the same article. His interrogators were trying by every means including beatings, insults and threats to make him confess that he had passed information to the enemy. After three months the Prison's Organization complained about his treatment and after five and a half months he was transferred to Evin prison where he had to remain for another three months. Finally he received a list of charges as follows: activities against the security of the Government, activities to topple the Government and assistance to the enemy. A meeting Prime Minister Bazargan had with the United States Ambassador in 1979 with the express agreement of Ayatollah Khomeini was cited as a proof for these charges. He was held for eight and a half months in solitary confinement, although the law stipulated a maximum of four months. His complaints in this regard remained unanswered. After his release he was ordered to report to Evin prison where he was treated harshly and again threatened.

209. Mr. Yazdi, former Foreign Minister in the first provisional Government after the Revolution, referred to cases in which persons had not been released at the end of their prison sentences; some had been retried, some executed and yet others simply kept in detention. He mentioned in particular the case of

his nephew Hassan Zadiri who was arrested instead of his brother, who had absconded. He was tried after three years of detention and sentenced to another seven years. Last year his parents were informed that he had committed suicide. When the parents expressed surprise that his corpse was black, the official version given for the reasons of his death was changed to food poisoning. He and Mr. Bazargan also referred to other cases of substitute prisoners, such as Dr. Yaya Naziri, held at Evin prison because the authorities had not been able to arrest his son, who had absconded.

210. A witness who requested that his name should be kept confidential reported the arrest, in 1981, of Ali Bani Hashemi when he was 22 years old. According to the witness, Ali was now being held at Nazi-Abad prison in Tehran. The circumstances of his arrest were described as follows: Ali with a group of 90 other people were celebrating an Islamic holiday when members of the Regional Committee invaded the place and arrested them. The witness stressed that this had not been a politically motivated meeting but a get-together of young Muslim people. Ali was released the same day, but the Islamic Revolution Committee recalled him and he was sentenced to life imprisonment. The sentence was subsequently commuted to seven years, but 20 of his friends arrested on the same occasion were executed. During the summary trial of the whole group, no defence was admitted. Although Ali had spent eight years and seven months in prison, he was not released. The prison administration had simply advised the family that his sentence had again been changed to life imprisonment without any additional trial.

211. Another witness who requested that his name should be kept confidential stated that he was a former member of the Mojahedin and had served two prison terms for this reason. He said that shortcomings in the administration of justice were not a Government policy, but the result of irresponsible acts of individuals in the lower strata of the administration.

212. A group of three witnesses who requested that their names should be kept confidential alleged that there was a high degree of arbitrariness in the application of the law. In cases before the Islamic Revolution Courts, for instance, the defendants were hardly ever informed of the charges, but merely asked what they believed to be the reason for their arrest and trial. Death sentences before these courts were rendered in a summary procedure. No lawyers were admitted and no witnesses presented by the defendant were examined. Until recently, all death sentences had to be approved in Qom, and currently by the competent section of the Supreme Court; but the files submitted for approval never contained any statements by the defendants.

213. An experienced lawyer who was able to continue his practice after the Revolution severely criticized the arbitrariness of legal procedures in many respects. He stated that lawyers generally did not believe in the legality of the courts and the law applied by them. Several laws had been adopted by specialized councils without passing through the Parliament. Matters concerning the clergy were dealt with by special courts protecting the clergy's privileges. It was very difficult for attorneys to function effectively within a framework of illegality. Before Islamic Revolution Courts no legal repesentation was possible and no appeals were admitted. In cases of death sentences passed by these courts the defendant was never informed of his condemnation. Such sentences were reviewed by the competent

section of the Supreme Court without the defendant's knowledge that he had been sentenced to death and without any further hearings. Other sentences were generally read out and the right to appeal existed; however in politically sensitive cases lawyers were reluctant to plead for the accused.

214. Another witness who requested that his name should be kept confidential stated that he had been arrested for supporting the Mojahedin. He described his trial as follows: Without advance notice he was presented to a mullah who put some questions to him. A few minutes later he was given a verdict of two years imprisonment. No lawyer was present. He also stated that during the period of interrogation while waiting blindfolded for his turn he heard the cries of many persons including a woman and her baby. This was intended to intimidate prisoners before interrogation.

215. An engineer who requested that his name should be kept confidential alleged that, in 1361 (1983), when he was 29 years old, representatives of the regional Islamic Revolution Committee ransacked his home and the business he had with his father. He later started another business, but two factories he had created were expropriated, one of them upon a decision by the local governor and the local imam. He had taken his case to a court which decided in his favour. However, the sentence was never accepted. He promised to forward documentation as to the veracity of the facts he had reported. He added that the many arbitrary decisions taken by the authorities and the lack of effective legal remedies were completely paralysing the country's economy. He also stated that two cousins of his (names provided) were executed in 1982 and 1983 respectively for no apparent reasons although there had been rumours that they were sympathizers of the Mojahedin.

Right to leave the country

216. A translator of technical books who requested that his name should be kept confidential stated that for the last five years he had been unsuccessful in his attempts to obtain a passport to continue his studies abroad. No reason for the refusal was ever given. His passport had been confiscated when he tried to leave the country five years ago.

217. Another witness stated that he was a former member of the Mojahedin and therefore wished that his name be kept confidential. He had been in prison twice but was no longer obliged to report regularly to the Islamic Revolution Committee. He had asked for a passport to leave the country, a request which had been refused so far. He believed that the reason for the refusal was his former involvement with the Mojahedin.

Right of peaceful assembly and association

218. The Special Representative met Mr. Bazargan, Prime Minister of the first provisional Government after the Revolution and president of the Movement for Freedom of Iran established as a political party in 1961. He stated that the Movement for Freedom has been kept alive despite considerable restrictions imposed on its activities. Its newspaper had been confiscated illegally and attempts to obtain a judicial decision on this matter had failed; according to an oral response by the authorities the respective file had been lost. The offices of the Movement were confiscated in June 1988 and four of its leading members had been arrested, including Mr. Tavassoli, a former mayor of Tehran, who was also present at the meeting. The telephones of the Movement were

tapped and its mail was opened in clear contravention of constitutional guarantees; moreover, its members were frequently intimidated or harrassed. Most of the leading members of the Movement for Freedom and their families had suffered from bomb explosions in their houses and the situation in the provinces was even worse. All these limitations were aimed at cutting the contact of the Movement with the population. The Movement only participated in the first election after the Revolution but not in subsequent elections in which they were prevented from participating freely. He himself had for instance not been approved as a candidate for the presidential elections. The legal situation of the Movement for Freedom was kept in suspense although article 26 of the Constitution permitted the formation of political parties provided they did not violate the principles of independence, freedom, national unity, the criteria of Islam, or the basis of the Islamic Republic. The Parties Act was approved by Parliament in 1981, but the committee in charge of its implementation, as provided for in article 10, was constituted in late 1988 only. Although the Movement for Freedom had submitted all the required information, its application had so far not been dealt with. The article 10 Commission practically never met and so far had only approved the statutes of associations and parties such as the Women's Association of the Islamic Republic of Iran, headed by the daughter of Ayatollah Khomeini, the Militant Clergy Party and a third association close to the Government.

219. The Special Representative met members of the "Association for the Protection of Liberties and Human Rights" who described the difficulties they were facing in their activities. They stated that the Association had been founded four years ago and its charter which only contained principles recognized by the Constitution had been submitted to the Ministry of Interior for approval. Nevertheless, the Association never received an official recognition of their statute. Last year they received forms from the authorities which were duly completed, but no reply was given to their request for official recognition. The authorities had occupied the Association's offices one and a half years ago and its chairman was arrested on that occassion. All attempts the Association had made to get access to printing houses in order to circulate publications had been obstructed systematically. They could, however, circulate by hand photocopies of their newsletter. Similar restrictions were also experienced by other organizations trying to promote human rights and freedoms, such as the Movement for Freedom of former Prime Minister Bazargan.

Right to legal counsel

220. The Special Representative visited the Bar Association where he was received by its president, Mr. Eftekhar Jahroumi, and four members of the Association. He was informed that the Association comprised some 2,000 lawyers in the whole country, 100 of which were women. Fifty-five per cent of the attorneys exercised their profession in the capital. In addition 400 trainees (130 women) would be eligible to become lawyers by 1990. The bar examination could be taken with a bachelor of law degree after one year of training. Membership of the Association was mandatory for all courts. The president of the Association explained that the Revolutionary Council had passed a law concerning procedures for the establishment of professional associations which was endorsed by the High Judicial Council (the functions of which are now exercised by the Head of Judiciary). Subsequent to the changes introduced by that law and in view of the fact that the old president and board of the Association had either left the country or their licences had

been cancelled by revolutionary courts, he had been appointed to direct the Association on a provisional basis. Altogether some 50 licences of members of the Association were cancelled in the first years after the revolution; during the past five years, however, only two such cancellations were decreed. The provisional period would be over in 1991 at which time the members of the Association would again be able to elect their president and board members. The president of the Association stressed that every person could freely choose a lawyer to represent him before the courts. In a number of cases the appointment of an attorney was mandatory. The Association also provided free legal services to penal courts in cases in which the defendant could not afford to pay for a lawyer. He recognized that in the aftermath of the revolution the role of attorneys was not viewed positively, but gradually the situation had improved. The Association was a member of the International Bar Association, was providing health and life insurance plans to its members on a voluntary basis and was presently preparing a retirement plan. The Association was also giving its opinions on draft laws at its own initiative.

221. An attorney and former judge with 30 years of professional experience reported severe restrictions of the rights stipulated in article 14 of the International Covenant on Civil and Political Rights, in particular before the Islamic Revolution Courts. In general, lawyers were not admitted before these courts and were harrassed or intimidated if they tried to insist. One well-known case in this regard was the trial of Mr. Entezam, a former Ambassador to Sweden, accused of unauthorized contacts with representatives of the United States of America. But even in ordinary penal cases lawyers had to be very careful and he referred to the example of one of his colleagues who after having asked for an additional hearing in a suit was indicted and condemned for undue interference in the procedure. The practice of impeding lawyers to act was becoming worse and extended also to other courts such as the special civil courts dealing with family questions. He further stated that the Bar Association had never been formally dissolved, but that some 50 lawyers were informed through official announcements in the newspapers that they had lost their licences in accordance with rulings by Islamic Revolution Courts. At the beginning of the Revolution the president and most of the members of the board of directors of the Bar Association had either been arrested or had fled. A new president had therefore been appointed by the Ministry of Justice in order to get access to the Association's accounts. He accumulated many functions including that of legal advisor to the President. The witness further stated that lawyers like himself had to pay their contribution to the Association but did not get any support from it.

Situation of the Baha'is

222. The Special Representative also met leading personalities of the Baha'i community who confirmed that the situation of their members had generally improved. Nevertheless, all religious shrines remained confiscated. In the past year Baha'is had benefited from a more tolerant attitude on the part of the authorities. In this connection, they handed to the Special Representative a recent circular issued by the Prime Minister which is reproduced in annex V.

223. The witnesses also reported that at the primary and secondary school levels no problems had occurred in recent months. However, only four Baha'is had been admitted to universities. It was now easier for Baha'is to obtain business licences, but many properties remained confiscated and petitions in

this regard were not being given due consideration. In one such case in which the owner of the property had also been arrested, a court in Qom had ruled in his favour. However, the person was still being detained at Evin prison and the property had not been returned.

224. Many difficulties were also being faced with regard to Government pensions. In some such cases Baha'is had to pay back not only the pension but also all salaries received as of the day of their first Government employment. Those who refused or were simply unable to do so had to face severe prison sentences. Another major problem consisted in the fact that most Baha'is were refused passports. In the past 10 months, some 1,000 persons had applied, but only three had actually received a passport. A further 15 had been called for questioning to the President's Office without any result to date.

Situation of the Armenian minority

225. On Friday, 26 January, the Special Representative visited an Armenian association called Ararat. The association's social and cultural activities are held in a very spacious gymnasium in a district of Tehran. During his conversation with members of the executive board, the Special Representative received information on the activities and way of life of this religious minority. He was told that the life of other religious minorities is similar. On 20 January, he also paid a brief visit to an Armenian church during Sunday mass.

226. The cultural and social centre he visited has 2,000 members of all ages and the executive board and the administrators are chosen by direct vote. Alongside the centre there is an old enclosed Armenian cemetery and a small church which is still in use. In September every year, the association organizes "olympic games" at which many Armenian athletes and sports clubs from throughout the country compete. The twenty-second olympics were held in 1989. More than 15 similar associations are in existence in Tehran.

227. The Armenian religious minority, consisting of about 200,000 people, is concentrated largely in Tehran and has smaller groups of 5,000 to 20,000 people in Isfahan, Ourmiyeh, Tabriz and Arak. The Armenians have two deputies in Parliament, one representing those from the north and another representing those from the south. About 30,000 are registered voters. Several candidates present themselves for a parliamentary seat. In Tehran, they publish a weekly intended chiefly to report on Armenian communities throughout the world. The Special Representative had an opportunity to talk with the editor of the weekly.

228. Both the Armenians and the other religious minorities freely practice their religion. In Tehran, the Armenians have seven active churches and twelve in Isfahan.

2. Written information

229. During his visit to the Islamic Republic of Iran, the Special Representative received hundreds of letters and other written communications, mostly in Persian, from Iranians living in the country. Communications from the Organization for Defending Victims of Violence were handed to the Special Representative by the Iranian Ministry of Foreign Affairs. In view of the

short time between the completion of the visit and the date on which the present report had to be finalized, it was not possible to examine and analyse all written communications in detail. The Special Representative has, however, made an attempt to categorize the allegations they contain as follows:

(a) A large number of identical letters from "a group of freed political prisoners" refute allegations of arbitrary arrest or torture and state that former prisoners are now living a normal life as free citizens who enjoy all the "available social advantages". Similar letters were received from other former prisoners writing that they were deceived and misled by the Mojahedin and denouncing the silence and inactivity of the United Nations with regard to their grievances. They claim that the Mojahedin no longer enjoy any popular support, that they kill and threaten innocent people, "savagely torture pasdars" (revolutionary guards) and collaborate with Iraq. They also accuse the Mojahedin of compiling lists of people allegedly executed who are in fact alive and well.

(b) In a considerable number of letters ex-prisoners state that they were arrested but never tortured and speak of "excellent living conditions and humane treatment in prisons". Many of these letters express the view that the Government effectively helped former Mojahedin to "reintegrate into society and work as useful citizens". They also emphasize that fundamental freedoms are respected in the Islamic Republic of Iran.

(c) In a third category of letters, the writers complain about not being able to keep their appointments at the United Nations Development Programme office since they were prevented from entering. Many letters contain allegations as follows: a number of prisoners were freed before the Special Representative's visit and instructed to paint a rosy picture of prison conditions. They are said to be under close surveillance and might return to prison when the Special Representative leaves the country. The conditions in prisons are described as deplorable, in particular with regard to solitary confinement, sanitary installations, heating, ventilation, hot water and blankets as well as diet. The families of prisoners claim that they are subjected to intimidation, harassment and ill-treatment during visits. They also denounce torture and ill-treatment of prisoners and say that when they are told that a prisoner is in hospital this means he has been severely beaten. It is further stated that prison directors systematically abuse their position and their decisions appear to prevail over those of the judicial authorities. Other allegations concern the raping of women who have been sentenced to death, the denial of medical assistance to prisoners, cases of execution after the completion of prison sentences and the virtual impossibility for former political prisoners to find employment.

230. During the mission some 70 cables and messages were addressed both to the Secretary-General of the United Nations and the Special Representative from persons and organizations outside the Islamic Republic of Iran, including many parliamentarians from Austria, Canada, Denmark, the Federal Republic of Germany, France, Italy, the Netherlands, Norway, Sweden, Switzerland and the United States of America. Most of these communications suggested that the duration of the visit should be extended in order to allow for a more thorough investigation and for the hearing of more testimonies. Others made

suggestions for the conduct of the visit and drew to the Special Representative's attention the fact that many persons wishing to see him had not been able to do so; still others expressed concern over threats received by witnesses and the possible arrest of some of them.

231. While expressing his gratitude for the many useful suggestions made, the Special Representative recalls that the length of the visit was in keeping with the practice established during previous fact-finding missions of a similar nature. Due to the necessity of presenting a report to the current session of the Commission on Human Rights, which started its deliberations on the day of return of the Special Representative, and the time required for the translation and processing of the report, an extension of the visit could not be considered. As regards the concern over possible threats to or persecution of witnesses, reference is made to the exchange of letters between the Permanent Representative of the Islamic Republic of Iran to the United Nations and the Special Representative, dated 24 November 1989 (see paras. 11, 12 and 13), as well as to the aide-mémoire handed to the Deputy Minister for Foreign Affairs on 28 January 1990 (see para. 171).

V. CONCLUSIONS AND RECOMMENDATIONS

232. This final report marks a major development in the fulfilment of the Special Representative's mandate and in the resolutions adopted by the General Assembly and the Commission on Human Rights: the visit to the Islamic Republic of Iran and the on-the-spot examination of the human rights situation. For the first time since the mandate was issued in 1984, the Government invited the Special Representative to visit the Islamic Republic of Iran.

233. The Special Representative wishes to place on record his gratitude to the Government of the Islamic Republic of Iran for its co-operation in the course of the visit, the facilities afforded to him in his task and its readiness to extend the visit, although this was not possible in view of the strict time-limits imposed by the imminent start of the Commission's work.

234. On his return to Geneva, the Special Representative discovered that the press or the media attributed to him statements made following the visit to the Islamic Republic of Iran. The Commission on Human Rights should know that neither he nor any member of the group that visited the country made any statement whatsoever. Even though he is unaware of the substance of the statements attributed to him, the Special Representative would point out most emphatically that he made no statement whatsoever, either in public or in private, and that he has not even spoken with anybody about the subject, because it was his firm intention that the report should be drawn up without interpretations or speculations that would compromise its objectiveness and that nothing should be said before the Commission received it.

235. Communication between the Special Representative and the Government of the Islamic Republic of Iran is at a suitably high level and there is no topic, problem or issue that cannot be openly discussed through expeditious channels. As a result of the visit, further possibilities of communication were opened up.

236. The report sets out information received before and during the visit. It should be noted that allegations similar to those of previous years were still being received and that, during the period under review, there was a considerable increase in assertions, testimony and documents about terrorism. During the visit, terrorism also featured a great deal in the statements by Iranian officials and many witnesses.

237. The allegations of human rights violations have been arranged under different headings, to deal with them more easily, and the testimony has been split up, where appropriate, and placed under the heading involved. It was physically impossible to accommodate everyone who wished to make a statement, but sufficient testimony was gathered to establish or fill out the headings into which the available information is classed. To hear all of the people who wished to speak about their experiences, it would have been necessary to extend the visit not only by a few days, but probably by a few weeks. Some witnesses were unable to keep the appointment they had been given. This was due, among other things, to the people crowding outside the United Nations Development Programme's office, who literally blocked off the path for anyone who wanted to enter and they were disorderly in their behaviour.

238. Authorities and officials contacted by the Special Representative spoke about general issues and said the Government of the Islamic Republic of Iran had been friendly to all nations, particularly neighbouring countries, but had not met with a positive response. They went on to speak of kinds of pressure from abroad, help to armed gangs, terrorism, disinformation, the eight-year war and the July 1988 invasion. Generally, their points were: the international community listens to terrorist groups; information abroad has been and still is being manipulated; United Nations bodies apply two different standards as far as human rights are concerned because for political reasons a very close eye is kept on some countries, whereas others which commit serious human rights violations do not come under any international monitoring procedure.

239. The Special Representative observed that there is a deep split in Iranian society as a result of the hectic revolutionary period and that one ingredient in this split has been the armed struggle, in which terrorism has had a part, sometimes with devastating effects. Complaints are heard on all sides and among all social classes, from some who deplore and condemn the armed struggle, from others who are distressed by the punishment meted out and reject it in the belief that it has been applied improperly and undermined the dignity of prisoners, and a significant number who maintain that their ideals have been crushed and their youthful naivety has been exploited. The meetings of mothers and of wives of the dead are a symbol of the social polarization: outside the office of the United Nations Development Programme, large groups of women were demonstrating against terrorism, to which they attributed their troubles and the loss of their loved ones, whereas, at the other end of Tehran at the Behest Zahra cemetery, mothers and wives of the executed were meeting, as they do every Thursday and Friday afternoon, to weep for their loved ones, the executed and those buried in common graves.

240. The Special Representative, as in earlier reports, condemns terrorism in all its forms, whatever the motive, pretext or aim. During the visit to the Islamic Republic of Iran, he received ample official and private information about the disastrous effects of this kind of political activity. However, it has to be borne in mind that the parties to international instruments are

States and are, of course, represented by Governments, and hence the grievances are chiefly directed against them. By extension and in keeping with recent practice, it has been understood that insurgent groups should also respect human rights, although Governments recognized by the international community and insurgents are not on the same footing.

241. The testimony gathered reiterated complaints received in Geneva about unlawful executions, torture, substitute prisoners, imprisonment beyond the period specified in the sentence, spontaneous decisions by low-ranking officials and the absence of counsel for the defence. Other witnesses stated the opposite because they had been arrested in the course of clandestine activities against the Government, had been treated leniently and subsequently pardoned. Testimony was also gathered on restrictions on the right of association. A study of the testimony, representing two different kinds of personal experience and views, is in itself illuminating.

242. The Special Representative was able to verify that four persons shown on lists of executed persons were still alive. With a copy of the list of executed persons, these four people presented their identity cards, which included photographs, and their identity was established so far as was possible without laboratory proof. Another dozen persons also maintained that they had been included on the lists, but they did not have their identity cards on them when the case was examined in the course of a collective interview in the Hotel Azadi.

243. The allegation that political prisoners had been executed under false charges of drug trafficking was given special attention during the visit. In the light of the testimony received and published in earlier reports about such indications as hearing somebody shout that he was not a drug trafficker, the explanations given by the Special Prosecutor for Drug Trafficking Offences and the testimony from leading figures in the political opposition who are living in the country, the Special Representative considers it his duty to acquaint the Commission with his conviction on this matter. He has always treated this information cautiously and taken it as a point of departure for further inquiry. Three witnesses from the political opposition, who were well informed and spoke on other issues that were not precisely favourable to the Government, said they were not aware of a single case of a political prisoner being executed as if he were a drug trafficker. It would be strange if, living in the place and following events so closely, such persons had not learned of facts of such great significance. In the light of his conviction and in all honesty, the Special Representative considers that, unless specific proof is submitted to him in this regard, this allegation involves elements of speculation and he rules it out.

244. The number of executions and the guarantees of due process of law were topics that arose in many conversations. The Special Representative repeatedly brought up the subject of the number of executions and adduced reasons for doing so, on the basis of international instruments and on humanitarian grounds. Many drug traffickers can be rehabilitated and reincorporated into society and should in any event enjoy the guarantees of due process of law. Certainly the deterrent character of the executions has disappeared because there have been none in public for five months, but many persons, probably hundreds, are still awaiting execution. As he was leaving the country, the Special Representative presented a request for clemency in this regard. He has gained the impression that this harsh policy could become a good deal less severe.

245. The guarantees of due process of law now include appeal and review and they are operative with regard to convictions in general and review usually applies in respect of the revolutionary courts. The Supreme Court of Justice has the last word. Criticisms are made, for some lawyers would like an appeal to lie not only against the sentence, but against other rulings in the trial, but this remedy does exist, and it may be broadened.

246. Admittedly, the Iranian Constitution provides for the assistance of a lawyer and makes no exception in any case whatever. However, many witnesses speak of the absence of counsel and such testimony is still being received. The Special Representative believes he has identified two gaps that might explain why some proceedings are held without a lawyer for the defence: when the accused person refuses to accept such assistance or when the lawyer called upon refuses to take over the defence. The practical effects in these two cases are that some proceedings, particularly trials for drug trafficking and political offences, may be held without counsel for the defence. The Special Representative believes that a way of overcoming these gaps should be examined, for they turn into opportunities to make sure that there is no defence counsel; in this connection, he would suggest that the right to legal assistance should be declared an inalienable right and that a rule should be adopted that no criminal proceedings may be instituted, pursued and completed without continuous assistance from a lawyer, who would be afforded sufficient time to gather evidence and make a plea based on legal reasoning or lenience on humanitarian grounds.

247. Moreover, the testimony gathered during the visit to the Islamic Republic of Iran repeats a number of allegations communicated to the Government in the past. In the matter of issuing passports, the higher authorities should look into the way in which the lower authorities are keeping to the law and to the regulations established by the higher authorities because there may be some problem of enforcement at the administrative level.

248. There were repetitions of allegations about prisoners completing their sentence and still being held in custody indefinitely, and persons completing their sentence and then being executed. Testimony collected privately and statements taken at Evin prison in the presence of prison officials again spoke of ill-treatment and torture. The Special Representative has also insisted that detailed replies to these and other allegations are necessary as part of the process of studying the human rights situation.

249. The Government of the Islamic Republic of Iran has been receptive to some criticisms made in earlier reports by the Special Representative, for example, about public and mass executions of drug traffickers and about incorporating in the penalty the time that has been served before the sentence is handed down. This receptiveness indicates that other suggestions and criticisms could well be taken into account. In the course of the actual visit, the following suggestions were, in principle, favourably received: regular visits by the International Committee of the Red Cross to prisons throughout the country in order to ascertain the conditions of imprisonment and, in particular, to look into the situation of political prisoners; the possibility of the Centre for Human Rights providing technical assistance to the Government of the Islamic Republic of Iran in matters pertaining to human rights; the acceptance of a programme to identify clashes or inconsistencies between Islamic law and international law, particularly internationally recognized human rights, so as to make it easier for the Iranian Government to

bring its system into line with international standards; and consideration of requests the Special Representative may transmit on purely humanitarian grounds. The Special Representative handed over a request for a marked reduction in death sentences and about the case of a person in urgent need of medical treatment outside prison walls.

250. The Special Representative received information on frequent clemency measures. While this report was being completed, he received from the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva an announcement of a clemency measure for persons sentenced by military courts: persons sentenced to one year will be freed and longer sentences will be reduced by half.

251. The information gathered by the Special Representative in Geneva on the situation of the Baha'is was confirmed in Tehran by the testimony of two members of this group. They supplied a circular from the Prime Minister, whose duties were later taken up by the President of the Republic, instructing the authorities about the treatment of the Baha'is. The circular was satisfactory to the visitors and to the other members of this faith. In addition, the witnesses said that a ruling by the Supreme Court of Justice had been in their favour and established a marked precedent, although it has not yet been enforced. The Special Representative's impression is that the situation of the Baha'is is moving towards quite broad de facto tolerance.

252. At the round table held at the Ministry of Foreign Affairs to sum up the visit, the Special Representative expressed the opinion that the Government's next step could consist in providing detailed replies to the allegations transmitted to it. In order for these replies to be prepared, the allegations would have to be investigated; it might well prove that some officials had failed in the performance of their duties and that disciplinary measures or punishment would be needed or, on the contrary, that it would be appropriate to demonstrate that the allegations were inaccurate, false or mistaken. Both the Government and the procedure established by the Commission on Human Rights would benefit from such concrete co-operation. The visit needs to be supplemented by these replies so that the consideration of the alleged cases may continue and conclusions may be reached on the situation as a whole.

253. In view of these facts and considerations, it is the Special Representative's conclusion that, in his view, the Commission should continue to monitor the human rights situation in the Islamic Republic of Iran and that another visit seems desirable, and even necessary, in order to broaden the study with many cases which it was not possible to collect, to go deeper into situations which still call for greater knowledge of the facts and to listen to many persons who felt disappointed because so little time was available.

Annex I

Names and particulars of persons allegedly executed in the Islamic Republic of Iran, supplementary to the lists contained in previous reports of the Special Representative; list provided by non-governmental sources

SURNAME	NAME	DATE	PLACE
	Behnam	03.1989	Tehran (Evin)
	Mehri	05.1989	Tehran (Evin)
	Amir	1989	Tehran
	Majid	1989	Tehran (Evin)
Abbas Zadeh		01.1989	Tehran
Abbasi	Yadullah	1988	Kermanshah
Abbassi	Rassoul	1988-1989	
Abdi	Mehdi	01.1981	Tehran
Abdi-Mojaveri	Daryosh		Ahvaz
Abdmolai	Ardeshir		Ramhormoz
Abdolahi	Mehdi	1981	Tehran (Evin)
Abdolbahaab	Hossein	03.08.1988	Karaj (Gohardasht)
Abdolbahaab	Behzad	04.1989	Tehran (Evin)
Abdollahi	Omar	1988-1989	Ourmieh
Abdullahpour	Hassan		Ramhormoz
Aboltarsi	Fatemeh	09.05.1982	
Abolhassani	Mohsen	1981	
Abolhassani	Mehdi	09.08.1981	
Abouee-Rad Keshtali	Fershteh	14.03.1982	
Abouee-Rad Keshtali	Siros		Ramhormoz
Adai	Kazem	1981	Amol
Adloo	Mohammad	10.1989	Karaj
Aghaii	Sadegh		
Aghmasheh	Morteza		Ramhormoz
Ahangar	Roghieh	26.07.1983	
Ahangaran	Esmaeel	11.03.1984	Sari
Ahmadi	Mohammad	1983	
Ahmadi	Raouf	1988	Sanandege
Ahmadi	Mohammad	1988-1989	Saquiz
Ahmadnajad	Raouf	1988-1989	Sanandaj
Ahmedi	Mirza	1988-1989	Ourmieh
Ahmedi	Ahmad	1988-1989	Miandouab
Aivazi	Kassra	1988	
Akbari-Kordestani	Behrooz	1981	Disel-Abod
Akhlaghi	Reza	1988	
Akrami	Aliakbar	20.06.1989	Tehran (Evin)
Ala'ceni	Karim		Shoshtar
Alahmad			Tehran (Evin)
Alavini			Ahvaz
Ali	Eghbal	1988-1989	Saquiz
Ali Sour	Ali	1981	
Aliabadian	Rahman	17.07.1983	
Aliabadian	Mahmoud	20.07.1989	Tehran
Alinejad	Khaled	1988-1989	Ourmieh
Alipour			

SURNAME	NAME	DATE	PLACE
Alipour	Ali	1988	Kermanshah
Alipour	Khalid	1988	Ourmieh
Alkhamis	Ebrahim		Izeh
Allameh Araqi	Homayon	01.1989	
Almassi	Hamzeh	1988-1989	Ourmieh
Almassian	Nasser	1988	
Amini	Ali		Ramhormoz
Amini	Nasser M.	1984	
Amini	Ghader	1988	Kermanshah
Amini	Bahman	25.03.1989	Shiraz
Amir Ghasemi	Mojtaba	1989	Tehran (Evin)
Amiri	Bijan	1981	Disel-Abod
Amjadi	Nasser	1988	
Amouzani	Gholam Resa	03.1989	
Ansari	Behrooz		Izeh
Anvari	Resa	03.02.1989	Mashad
Anwar		1988	Ourmieh
Arab	Hossein	1988	
Arabi	Bahman	01.1989	Garmsar
Archedi	Ismaeil	1988	Ourmieh
Ardeshir Zadeh	Shahram	01.1989	Shiraz
Ardloo	Seihla	1982	Isfahan
Aref	Abdullah	1988	Kermanshah
Arfa	Hasan		
Argani	Jalal		Shadgan
Arjomandi	Akbar	1989	Gahardasht
Arouji Zaree	Jaber	1989	Astara
Arshadi	Isamïl	1988-1989	Sanandaj
Asarmehr	Mansoor	29.07.1988	
Ashgar	Massoud	1988	
Assad Poor	Hassan		Gachsaran
Assadi	Hadi		Abadan
Atai	Naser	1988	
Atash Afrouz	Mohammad Reza	19.07.1989	Rasht
Atashparvar	Ebrahim		Gachsaran
Ayough			Abadan
Azad	Nessar		Omidieh
Azarang	Sa'id	1988	
Azarbajani	Mohamed	1988	Kermanshah
Azimi	Fatemeh	15.08.1989	Mashad
Azizi	Mohamedlawe	1989	Kermanshah
Babaii	Susan	06.08.1989	Tehran
Babaii	Ali	08.1989	
Badali	Jamshid	1988	
Badanara	Habib	1988	
Badihi Mavi	Rassol		Abadan
Baghbadarani	Hamdolal		Ramhormoz
Baghbadarani	Hamid		Ramhormoz
Baghbadarani	Iashalah		Ramhormoz
Baghbadarani	Sedigheh		Ramhormoz
Bagheri	Ozra		Ramhormoz
Bagheri	Abdolazim	1988	
Bagheri-Zadeh	Abu Tcurab	1988	

SURNAME	NAME	DATE	PLACE
Bagherzadeh	Tahereh	1988	
Baghlad-Rani	Hamid		
Bahadori-Qashqai	Mourad	1988	
Bahardoost	Atefeh	1983	Disel-Abod
Bahramirand	Mustafa	1988-1989	Ourmieh
Bahramwand	Mustafa	1988	Ourmieh
Bahramwand		1988	Mahabad
Bajelani	Habibullah	1988	Kermanshah
Bandeh	Ali		Ahvaz
Banimehdi	Najaf-Ali		Isfahan
Barzegar	Havva	09.1982	
Bayat	Rasoul	05.1989	Tehran (Evin)
Bayazidi	Hassan	1988-1989	Mahabad
Bayzidi	Hassan	1988	Ourmieh
Bedaghi	Taher	1988	Ourmieh
Behkish	Zahra		Tehran (Evin)
Behkish	Mahmoud	1988	
Behvandnasab	Shokroloah		Abadan
Behzadeh	Manouchehr	1988	
Behzadi	Siyamak	1988	
Beyranvand	Hamid	04.1989	Tehran (Evin)
Bi-Homal	Fa'ezeh		
Bigdeli	Hossein	1988	
Bigdeli	Mehdi	1988	
Bignejad	Hassan		Mahshahr
Bijani	Jahanyir	1981	Disel-Abod
Bijani	Akbar	29.07.1988	
Birak	Djassim	1988-1989	Sanandaj
Birak	Hassim	1988	Ourmieh
Boghari	Sayid Khaled	1988-1989	Ourmieh
Boo-Ali		1988	
Borazash	Azam	1983	Disel-Abod
Boudaghi	Tahir	1988-1989	Ourmieh
Bour-Ivaz	Farzan	1989	Astara
Byglari	Mohsen	1988	
Chaharlish	Kiomarz		Omidieh
Chariaati	Chahriar	1988	Mahabad
Chavoshi	Ebrahim	1988	
Chehri	Nosrat	1981	Disel-Abod
Chraghpoor	Soltanmorad		Izeh
Dachedurgal	Hadji	1988	Ourmieh
Dalili	Leila	1988	
Darbadari	Sharif	1988	Sanandege
Dariabari	Mohammad	1988	
Darik-Bandi	Assadollah	1988	
Daroogar	Ali		Ramhormoz
Dashti	Abasagh		Ahvaz
Dastamouz	Ne'mat	1988-1989	Sanandaj
Dastamouz	Nemat	1988	Sanandege
Dastan	Youssof		Tehran (Evin)
Davachi	Abdolmajid		Ahvaz
Davoudi	Soghra	31.05.1982	Vakil-Abod
Dawlatabadi	Karim	1988	Ourmieh

SURNAME	NAME	DATE	PLACE
Dehboukri	Moustafa	1988	Kermanshah
Dehghan	Pari		Ramhormoz
Dehghan	Sohila		Ramhormoz
Dehghan	Farzad		Ramhormoz
Dehghan	Kiaynosh		Ramhormoz
Derakhshan	Ali-Reza		Izeh
Dezfooli	Hassan		Ahvaz
Diwakhan	Rassoul	1988-1989	Ourmieh
Djadidelesham	Abouhakir	1988-1989	Ourmieh
Djahandideh	Madani	1988-1989	Ourmieh
Djavanroudi	Mohammad	1988-1989	Tikab
Dolatshahi	Victoria	1981	Disel-Abod
Doudmani	Ali	27.08.1981	
Ebrahimi	Giti	09.1982	
Ebrahimi	Hamed	1981	Ilam
Ebrahimi	Mohammad Gholi	15.08.1989	Rasht
Ebrahimi	Assad	1988	
Ebrahimi	Ezatollah	1988	
Ebrahimi	Mostafa	1988	
Ebrahimpour	Mehdi	1981	
Ebrahimpour	Mehry	1982	
Ebrahimpour	Asieh	1982	
Efravi	Naji	02.1989	Ardebil
Eftekhari	Naser	1982	
Eftekhari	Shahin		
Eghdami	Hossein	1988	
Eivazi	Ahmad	1988	
Elahi	Parviz	1988	
Eskandari	Hassan		Ramhormoz
Eskandari	Ali Reza	1988	
Eslami	Mohsen	1981	Gorgan
Eslami	Rajab	1981	Gorgan
Eslami	Tahereh	1982	Gorgan
Eslami	Mehdi	02.1989	Tehran (Evin)
Eslami	Mehdi	03.1989	Tehran (Evin)
Eslami	Samad	1988	
Esmailnejad	Gholamreza		Ormieh
Esmati	Reza	1988	
Fadaini	Farhang	1988	
Fadainia	Shahpoor		Ahvaz
Faizi	Ali	1989	Kermanshah
Fajazpour	Reza	1988	
Falahati	Siroos	09.1981	
Falahpoor	Behrooz	03.10.1982	
Falahpoor	Nedali		
Fallah	Amir	21 09.1981	
Faradji	Davoud	1988-1989	Miandouab
Farahani		01.1989	
Faraji	Behrouz	09.1989	Tehran (Evin)
Faramarzi	Shamsaddin	1988-1989	Kermanshah
Faramarzi	Nahid	10.01.1989	Bandar Abbas
Faramarzi	Qotbeddin	1988	
Fardin	Simin	1988	

SURNAME	NAME	DATE	PLACE
Farmanbordar	Massoud	11.03.1984	Sari
Farrahi	Davoud	1988	
Farzandeh	Hadje Sedig	1988	Ourmieh
Farzi	Homayoon	1981	Disel-Abod
Fasihi	Jalil	02.02.1984	
Faslara	Khosrow	09.1982	
Fathi	Karim	1988	Sanandege
Fattahi	Hossein	1981	
Fattahi	Zahra	11.12.1981	
Fattahi-Rad	Hamid	1981	Disel-Abod
Firouzandeh	Sayid	1988	
Gashtasbi	Mehran		Gachsaran
Ghaba	Sabz		Shoshtar
Ghabelizadeh	Hossein		Ahvaz
Ghaderi	Mohyaddin	1988-1989	Saquiz
Ghahremani Fam	Ayob	03,1989	Tehran (Evin)
Ghalambor	Siamak	1988	
Ghalavand	Hemmat	1988	
Ghali Kolahi	Ramini Azam	16.08.1981	Sari
Ghandi	Javad	1981	Disel-Abod
Ghandkhari	Manouchehr	1988	
Ghasemi	Ramin	1983	Karaj (Ghezelhesar)
Ghasempouri	Eshrat	1982	Ghaem Shahr
Ghasempouri	Seyed Asgar		
Ghassabi-Ghadikolahi	Darvishali	22.10.1981	
Ghassabi-Ghadikolai	Hossein	1981	
Ghassemi-Nejad	Hossein	1988	
Ghavami	Rostam	1988-1989	Sanandaj
Ghezi	Mahmood	1981	Disel-Abod
Gholami	Khadijeh	1982	
Gholami	Akbar	1981	
Gholi	Fezzollah	1988	
Ghorban-Ramaki	Behrooz		
Givekhan	Rassoul	1988	
Golemahmoudzadeh	Mahmoud		
Goli	Feizullah	1988-1989	Miandouab
Goli Goli Ghobadi	Doust Khoda	08.1989	Khorramabad
Golpayegani	Ali	1981	
Golpayegani	Jamshid		
Golpayegani	Hossein		
Golpayegani	Hassan	01.1989	Garmsar
Golzari	Ali	27.08.1981	
Gonavi	Gholam		Ahvaz
Goodarzi	Fariba	1988	
Goodarzi	Zohreh	01.04.1982	
Gorgani	Mohammad	27.08.1981	
Gorguin		1988	Ourmieh
Habibpanah	Rahmat	1982	Tehran (Evin)
Hadji	Abobaker	1988	Kermanshah
Hadjirassouli	Sultan	1988-1989	Miandouab
Hadyan	Hassan		Ahvaz
Hafezian	Zahra	1983	

SURNAME	NAME	DATE	PLACE
Haghimanti	Hamid	1988	
Haghpour	Mansour	1988-1989	Ourmieh
Hagigatian	Ali	1988	
Haj Aghaee	Behrouz	1989	
Hajari-Bajestani	Abbas	1988	
Haji Asgari	Naser	01.1989	Tehran (Evin)
Hajian	Raza		
Hajian	Abdolah		Izeh
Hajianejad	Leila	1988	
Halimi Asl	Naser	22.06.1989	Karaj
Hamedanian	Kasem	1988	
Hamedi	Hadi	1988	Kermanshah
Hamedi	Nasradin	1988	Kermanshah
Haqnpour	Mansour	1988	Ourmieh
Hashemi	Kazem		Ramhormoz
Hasheminejad	Kazem		Ahvaz
Hassan	Mehdi	1988	
Hatami	Mohammad	1988	
Hatamian	Bahram	24.02.1989	
Hatefi	Rahim	1988	
Heidar			Tehran (Evin)
Heidari	Mohammad		Gachsaran
Heidari	Hadi		Aghajari
Heidari	Reza		Aghajari
Heidarpoor	Reza		Ramhormoz
Heidarpoor	Zahra		Ramhormoz
Hidary	Mohalhel		Omidieh
Hijanani	Mohamed	1988	Kermanshah
Hisami	Afsheen		Ourmieh
Hokmravan	Ismael	27.08.1981	
Hooshmand	Amandlah	1988	Adelabad
Hormozy	Hamid		Ramhormoz
Hosseini	Ali	1982	
Hosseini	Mohammad		Abadan
Hosseini	Mohammad		Izeh
Hosseini	Sayid Fazil	1988-1989	Sanandaj
Hosseini	Hedayat	1988-1989	Kermanshah
Hosseini	Ali	1989	Kermanshah
Hosseini	Ahmad	1989	Kermanshah
Hosseini	Yarahmad	1989	Paveh
Hosseini	Dostali	09.1989	Khorramabad
Hosseini	Zeinab	24.07.1989	Karaj (Gohardasht)
Hosseini	Abbas	08.1989	Kordkoy
Hosseini	Yar Ahmad	1988	
Hosseinpour	Hossein	1988-1989	Ourmieh
Hosseinpour-Roodsari	Rahim	1988	
Housseini	Jamal	1988	Mahabad
Housseini	Hedayet	1989	Kermanshah
Ibrahim	Rahim	1988-1989	Ourmieh
Ibrahimi	Mustafa	1988-1989	Ourmieh
Ibrahimi	Khaled	1988-1989	Sanandaj
Ibrahimi	Nadjib	1988-1989	Ourmieh

SURNAME	NAME	DATE	PLACE
Ibrahimi	Rahim	1988	Kermanshah
Ibrahimi	Hassan	1988	Ourmieh
Imani-Khoshkhoo	Hamid	1981	
Imani-Khoshkhoo	Saiid	1981	Ramsar
Imani-Khoshkhoo	Majid	1988	Lahijan
Irandonst	Rastam	1989	Kermanshah
Isheh	Kamal		Ahvaz
Ismaeil		1988	Ourmieh
Ismaili	Noory	1983	
Izadi	Bijan		Ramhormoz
Izadi Ghasabsaraii	Ali	1989	Karaj (Gohardasht)
Jaafari	Jalil	1981	Ilam
Jadioleslam	Abu Bakr	1988	
Jafar	Javid	1988	
Jafar-Zadeh	Marandi	1988	
Jafazadeh	Fereshteh	1982	
Jahandideh	Madani	27.08.1988	Ourmieh
Jahangiri	Yahya		Shadgan
Jalali	Iraj	1981	
Jalalifar	Mohammad Reza	1988	
Jamali	Mohammad		Shiraz
Jamshidi	Zohreh	07.1989	
Jani	Bagher	1981	
Jani	Nader	1984	Tehran (Evin)
Javan Shoja'Mofrad	Gholam Hassan	01.1989	Tehran
Javidfar	Seifollah	1988	
Jawdat	Hossein	1988	
Jebelli	Farhad	08.02.1981	
Kadehi-Shirazi	Raziyeh	1988	
Kajbaf	Ahmad		Ahvaz
Kakoee	Nourollah	21.10.1981	
Kalashi	Mahmoud	1988-1989	Kermanshah
Kamiarani	Rostem	1988	Sanandege
Kamran	Jamchid	1988	Ourmieh
Kamuran	Djamshid	1988-1989	Ourmieh
Karami	Najar Robot	1984	Tehran (Evin)
Karbassi	Alireza		Isfahan
Karim		1988	Ourmieh
Karimi	Mojtaba	04.1989	
Kasemi	Bahram	15.08.1989	Shiraz
Kashanian	Parichehr	1981	Disel-Abod
Kasraii	Mahmoud	02.1989	Ahwaz
Kaveh		01.1989	Arak
Kayvani	Iraj	1988	
Kelachi	Mahmoud	1988	Kermanshah
Kermani	Hossein		Ahvaz
Khaksar	Gholamreza	1981	Hamadan
Khaksar	Jahanbaksh	27.09.1984	
Khaksar	Abbass	29.07.1988	Karaj (Gohardasht)
Khaledi	Timour	1988-1989	Kermanshah
Khalidi	Taymour	1989	Kermanshah

SURNAME	NAME	DATE	PLACE
Khamouchi	Assad	1988	Kermanshah
Khamoushi	As'ad	1988-1989	Ourmieh
Kharedjie	Omar	1988	Mahabad
Khatib	Abolhassan	1988	
Khatibi	Majid	27.08.1981	
Khatibi	Ali Akbar	1988	
Khatibi	Akbar	1988	
Khavari-Langaroudi	Sayed Alinaghi	1988	
Khazaii	Farzaneh	1981	Disel-Abod
Khazami	Said	1988	
Khezeri Mus	Mustafa	1988-1989	Saquiz
Khoda Bakhsh	Iraj	01.1989	Tehran (Evin)
Khodabandeh	Ghasem	1988	
Khodakarami	Hamzeh		Mahshahr
Khorassani	Manocher		Ahvaz
Khosh Goftar La'li	Majid	09.04.1989	
Khosh Kho	Youssef	02.1989	
Khosravi	Zarrin	09.1981	
Khosravi	Nasrin	08.1981	Ghaem Shahr
Khosravi	Parvin	25.04.1982	
Khosravi		01.1989	Tehran
Khosravi Dizaji	Ali	27.08.1981	
Ki'ail	Jalal	20.10.1981	Sheshdar
Kiani	Yavar		Masjed Soliman
Kobai	Ali		Haftgel
Kodol	Hassan	1988-1989	Ourmieh
Korramphanah	Ali	1988-1989	Mahabad
Kuchaki	Hassan	1988	
Lat	Mohamed	1988	Kermanshah
Lavehei	Nasser	1988	Mahabad
Loiyan	Mohammad Hamzeh	1988	
Ma'Asoomi	Hamid	1988	
Madanchi	Massoud	02.11.1982	
Maddah	Majid	20.06.1981	
Mafakher	Bahman		Ahvaz
Maghsodi			Tehran (Evin)
Mahboub	Asghar	1988	
Mahdavi	Khadijeh	26.07.1983	
Mahhadban	Mohammad-Taghi	27.11.1982	
Mahmoudi	Abol-Ahad	1988	
Mahmudi	Hassan	1988	Mahabad
Makari	Khosro		Tehran (Evin)
Makbandi	Gholam-Reza	1981	Gachsaran
Makvandi	Bijan	1988	Abadan
Malamiri	Ali		Ahvaz
Malek-Afzali	Ebrahim		
Malek-Afzali	Ameneh	17.06.1981	
Maleki	Karim	1988	Ourmieh
Maleki	Ali	1988	Saquez
Mandanizadeh	Hossein		Ahvaz
Manucheri	Manucher	1989	Kermanshah
Manucheri	Shirzad	1988	Kermanshah
Mard Fard	Mostafa	1983	Karaj (Ghezelhesar)

SURNAME	NAME	DATE	PLACE
Mardi	Nezam	1988-1989	Ourmieh
Marefi	Moumen	1988	Kermanshah
Maroufi	Momen	1989	Kermanshah
Mashhadban	Abolghasem	1981	
Mashhadi	Mohammad Fazl	27.04.1984	Tehran (Evin)
Mashkour	Sharafeddin	1988	
Massumi	Parviz	1988	
Matine	Said	1988	
Mehrani	Benham	1981	Astara
Merrikhi	Golamhossien	16 09.1981	
Mirabi	Khaled	1988-1989	Tabriz
Mirbaha	Ali		Ahvaz
Mirgassari	Raouf	1988	Kermanshah
Mirzai	Ali		Ahvaz
Mirzali	Hojjatollah	02.1989	
Mizani	Javad	1988	
Mobajeni	Mohammad		Ramhormoz
Mobayeni	Hossa		Ahvaz
Moezi	Ali	27.08.1981	
Moghaddam	Ali	1985	Tonekabone
Mohamadi	Rahim	1988	Sanandege
Mohamadi	Choukrulla	1988	Kermanshah
Mohammad Amini	Davar	1988-1989	Kermanshah
Mohammad-Zadeh	Saber	1988	
Mohammadi	Mojtaba		
Mohammadi	Javad		
Mohammadi	Hamid		Shoshtar
Mohammadi	Shokrellah	1988-1989	Kermanshah
Mohammadi	Rassoul	1988-1989	Ourmieh
Mohammadi	Gholam Reza	01.1989	Mashad
Mohammadi-Komijani	Ali Reza	1988	
Mohammadnejad	Jamal		Ramhormoz
Mohammadnejad	Sodabeh		Ramhormoz
Mohsen	Ezatollah	10.03.1984	Sari
Mohseni	Mojtaba	1988	
Mohsenpoori	Farhad	22.07.1982	
Moini	Atta	1988	
Moini Chaghervand	Parvin	1988	
Mokhtarzadeh	Raof		Shadgan
Mollah Zadeh	Yahya	02.1989	Ardebil
Moloudi	Aboubakir	1988-1989	Ourmieh
Monajat Zadeh	Majid	02.1989	Tehran (Evin)
Montazeri	Hamid	1988	
Moradi	Khalil		Tehran (Evin)
Moradian	Reza	1988	
Morati	Reza	03.1989	
Mosavi	Seyed Saleh	16.08.1981	
Mossavi	Karim		Ahvaz
Mostofian	Parvin	1981	
Motallegh	Mehrdad	1988	
Motlagh	Sohrab	1988	
Motlesarabi	Mojtaba	1988	
Mounshi-Roodsari	Abbas Ali	1988	

SURNAME	NAME	DATE	PLACE
Mouradi	Nezam	1988	Ourmieh
Moussakhani	Siavosh	27.08.1981	
Moussavi	Hadi	27.08.1981	
Moussavi	Rasoul	1988	
Movahed-Nia	Sadegh	1981	Disel-Abod
Mozafari	Heshmat	28.09.1989	Shian
Mullavaissi	Ghader	1988	Kermanshah
Mustafanijad	Rahman	1988	Ourmieh
Nabavi	Reza	1981	
Nabavie	Amin	1988	Sanandege
Nader			Ormieh
Naderizadeh	Ahmad		Ahvaz
Nadjimi	Mohammad	1988-1989	Sanandaj
Nady	Safar		Ahvaz
Naim	Mohammad Reza	1988	
Najaf Ghalian		01.1989	Tehran (Evin)
Najafabadi	Fathollah	1988	
Namanpour	Bijan	1988	
Namazi	Iraj		Ahvaz
Narges		08.1983	
Nasari	Kaveh	01.1989	Karaj
Nassiri	Hossein	02.1989	Tehran (Evin)
Nawruzi	Sedigh	1989	Kermanshah
Nazar Ali Kasmaii	Mohmoud	1989	Karaj (Gohardasht)
Nazari	Ali	1989	Kermanshah
Nazemi	Roozullah	1981	Disel-Abod
Nazemi	Amir Houshang	1988	
Naziri	Gity	1981	Tehran (Evin)
Ne'mati	Ghanbar	01.1989	Tehran (Evin)
Nessara	Hassan	1988	
Nezami	Mohamad	1988	Ourmieh
Nik-Nejad	Vahid	1981	Disel-Abod
Nikbakht		01.1989	Shiraz
Niko	Mandana		Ramhormoz
Nikouei	Saeid	1988	Kermanshah
Nikoui	Mosyyeb	08.02.1981	
Nilghaz	Ali	01.1989	Karaj
Noorbakhsh	Hossein	1981	
Noorbakhsh	Hassan	1982	
Noorbakhsh	Naghi		Haftgel
Noori	Nassrin	1981	Disel-Abod
Noorzadeh	Ahmad		Ahvaz
Norouzi	Sadigh	1988-1989	Kermanshah
Nour	Shahnaz	04.1989	Tehran (Evin)
Nourace	Jahangir	01.1989	Khorramabad
Nouraei	Assad	1988	Kermanshah
Nouramin	Mohammad Reza	10.01.1989	Karaj
Nourian	Abbas	1981	
Nourozi		01.1989	Ahwaz
Oladi	Safdar	1982	
Omar		1988	Ourmieh
Omrani	Behzad	30.04.1989	Tehran

SURNAME	NAME	DATE	PLACE
Osmani	Baghi	1988	Ourmieh
Ossman		1988	Ourmieh
Palimi	Hedayat		Ramhormoz
Panahi	Sayid Mohmoud	1988-1989	Miandouab
Panahi-Shabestari	Mehrdad	1988	
Panjeh-Shahi	Assadollah	1988	
Partov	Farhad		Ahvaz
Pasandideh (Markohi)	Jamshid	1989	Tehran (Evin)
Pirayesh	Gholam		Ahvaz
Pirooz	Esmaiel	1982	
Poor	Said Rafiei		Ramhormoz
Poornowruz	Behzad	1988	Karaj
Poornowruz	Cyrus	1983	Ilam
Poosti	Mehdi	1982	Isfahan
Poulchi	Mahmoud	27.02.1989	Tehran (Evin)
Pour Eivaz	Farzan	01.1989	Rasht
Pourmohammadi	Esmail	1988	
Pourzan	Nosrat	08.1989	Kermanshah
Rabibi	Hossein	1981	Disel-Abod
Rabiee	Manouchehr	06.1989	Tehran (Evin)
Rafat	Mohammad	1988	
Rafi'Pour-kasmaee	Bahram	04.1989	Karaj (Gohardasht)
Rafiee	Hossein	25.06.1989	Mashad
Rahimian	Hossein	1988	
Rahimnejad	Rahim		
Rahimnejad	Aziz		
Rahimnejad	Taha		
Rahimnejad	Tahmineh		
Rahmani	Hamid		Ahvaz
Rahmani	Ali	01.04.1982	
Rahmani	Mahmoud	22.09.1982	
Rahmani	Mohammad	04.11.1983	Tehran (Evin)
Rahmati Masoulch	Jamshid	01.1989	
Rajaimand	Mohammad	1988	
Rashedi	Nooralah		Izeh
Rashidi	Daryosh		Gachsaran
Rashidi	Mansor		Shoshtar
Rashidian	Gholam Hossein		
Rashidzadeh	Rashid		Tehran (Evin)
Rastaqi	Robert	1988	
Ravandi	Pirbaba	1988-1989	Kermanshah
Rawand	Pirbawa	1988	Kermanshah
Razandeh		03.1989	Gatchsaran
Razeh	Ali		Ahvaz
Razzaghi	Mohammad	1988	
Rejai	Mohammad	1988	
Rejalifar	Mohammad-Reza	1988	
Reza-Tabar	Ali-Akbar	1982	
Rezaii	Shahriar	01.1989	Tehran
Rezazedeh Ghasabsaraii	Maher	1989	Karaj (Gohardasht)
Rezvankhan	Firooz		Tehran (Evin)

SURNAME	NAME	DATE	PLACE
Rezzaghi	Mahmoud	1982	
Rhabar	Karim	06.10.1981	
Riazidoost	Farhad	1981	Disel-Abod
Riyahi	Jafar	1988	
Riyahi	Mohammad	1988	
Roghani	Sayed	1988	
Rohani		04.1989	Mashad
Rohizadeh	Sedigheh		Ramhormoz
Roodi	Ali		
Roshandel	Mehdi		Abadan
Rostami	Mohammad		Tehran (Evin)
Rostami	Rashid	1988-1989	Ourmieh
Rostami	Mohammad	25.06.1989	Mashad
Roustaii		02.1989	Ahwaz
Sabadi	Majid	16.08.1989	Tehran (Evin)
Sabaghi	Hossein		
Saber	Mohammad	1988	
Saberi	Daryosh		Gachsaran
Saberi	Naser	04.1989	Qezel-Hessar
Sabouri	Abdolazim	1988	
Sabti	Ehsan		Ahvaz
Sabti	Alvan		Ahvaz
Sadat	Ardeshir		Ramhormoz
Sadbari	Ali	1988	Sanandege
Sadeghi	Nader		Ramhormoz
Sadeghi-Bonab	Akbar	1988	
Sadjedian	Mohammad	22.02.1984	Shiraz
Sadrai	Ali	1988	
Sadrai	Hossein	1988	
Sadraii	Shahram		
Sadrazadeh	Kamal	1988	
Saeidi	Namvèche	1989	Kermanshah
Safar-Heidari	Sadegh	1988	
Safavi	Kambiz		Ahvaz
Safavi	Amir	01.1989	Tehran
Sahami		02.1989	Karaj (Gohardasht)
Sahebi	Mehdi	07.1989	Tehran (Evin)
Saïd	Namosh	1988-1989	Kermanshah
Saidi			Tehran (Evin)
Sajjadi	Zahra	12.1982 or 01.1983	
Saki Habibi	Manocher		Ahvaz
Salari	Reza	15.08.1989	Birjand
Salavati	Nader	1988	
Salchi		02.1989	Lahijan
Salehi	Charif	1988	Kermanshah
Salmani-Mojaveri	Hamid-Reza	31.05.1982	
Salwati	Fazel	1988	Kermanshah
Samadi	Nassiraddin	1988-1989	Kermanshah
Samimi	Amir	10.1989	Karaj
Samini	Ali	1981	Disel-Abod
Samini	Assadollah	10.1989	Karaj
Saquezi	Abdullah	1988	Kermanshah

SURNAME	NAME	DATE	PLACE
Saquezi	Karim	1988	Kermanshah
Saquezi	Behrouz	1988	Kermanshah
Sarafpour	Hossein	1988	
Sarbaz	Rashid	1988	Ourmieh
Sarchenari	Moussa	03.1989	Do-Gonbadan
Sarrafan	Nader		Shoshtar
Sarvazad	Ebad	1981	
Sbaghi	Vahed		Ormieh
Sedaghadpour	Hassan	1988	
Sedaghati	Abolghasem	05.07.1981	
Seghalini	Ahmad	1988	
Seifi	Heshmat		Ramhormoz
Seifoori	Ali	1981	Disel-Abod
Senfi	Reza		Ormieh
Seyyedahmadi	Ahmad	1988	
Seyyedahmadi	Mohammad	1988	Tehran (Evin)
Sha'eri	Naser	02.1989	Amol
Shabestari	Hamideh	1989	Tehran (Evin)
Shafipour	Major	1988	
Shah-Hosseini	Majid	1988	
Shahinzadeh	Abas		
Shahmoradi	Ezzatollah	1988	
Shahrestani	Maniga		Vakilabad
Shahsavand	Nasser	1988	
Shakeri	Sattar		
Shaleh	Rahman	1988	
Shams	Ebrahim		Shoshtar
Sharhani	Mansor		Ahvaz
Shariati	Farzad	16.08.1981	Sari
Shariati	Shahriar	1988-1989	Sanandaj
Sharifi	Safiheh	1982	
Sharifi	Lafteh		Ahvaz
Shayesteh	Fatemeh	11.09.1981	
Shayesteh	Ahmad Reza	31.05.1982	Vakil-Abod
Shayesteh	Mohammad Reza	21.08.1985	Tehran (Evin)
Sheikh-ol-Eslami	Rahmatollah	07.1989	
Sheikhan	Mohsen	01.1989	Tehran (Evin)
Shikhmiri	Yadolah		Masjedsoliman
Shirafkan	Sudebeh	26.07.1982	
Shirazi-Ayatollah-Zadeh-	Marzieh	1988	
Shirazi-Ayatollah-Zadeh-	Rahim	1988	
Shirazy	Razieh	1988	Tehran (Evin)
Shirmohammadi	Ghorbanali	1989	
Shobeibi	Jabar	1988	Kermanshah
Shokra	Nasser	1988-1989	Ourmieh
Shokri	Ghasem	09 09.1981	
Shokri	Hossein	25.08.1981	
Shorki	Hassan	17 09.1981	
Siah Mansour Khorin	Sadrollah	04.02.1989	Tehran
Siahghalan	Hossein	1988	
Siahi	Karim		
Siahi	Reza		Ahvaz
Sohrabi			Gorgan

SURNAME	NAME	DATE	PLACE
Solati Dehkordi	Homayon	06.1989	Tehran
Sour	Rostem	1988	Kermanshah
Sufi	Faramarz	1988	
Suleimanpour	Hamed	1988-1989	Sanandaj
Sulimnpour	Khalid	1988	Sanandege
Syfi	Kourosh	30.06.1981	
Tafghari	Mohammad		Ramhormoz
Tafreshi	Hossein	27.09.1989	Tehran (Evin)
Taghavi	Fakh-of-sadat	09.1989	Tehran (Evin)
Taghi	Mohammad		Tehran (Evin)
Taghi			Tehran (Evin)
Taghizadeh	Jamshid	1982	Amole
Taheri	Soghreh	1988	
Tajakbari	Manijeh	03.1989	Tehran (Evin)
Tajeddini	Hamid	1988	
Talabi	Karim	1988	
Taladj	Kamal	1988-1989	Mahabad
Talagie	Kamal	28.06.1988	Ourmieh
Talani	Karim	1988-1989	Ourmieh
Tasharafi	Mohammad	1988	
Tatighi	Assad	1988	Sanandege
Tavassoli	Akbar	08.1981	
Tavassoli	Alireza		Isfahan
Tavoosi	Mohammad		Ramhormoz
Tavoosi	Rahman		Ramhormoz
Tayoori	Saeed	1988	Tehran (Evin)
Tchavchini	Abdulla	1988	Kermanshah
Tchavshini	Ibrahim	1988-1989	Ourmieh
Terchaveh	Abdullah	1988	Kermanshah
Timori	Khalil		Shadgan
Timour	Zero	1988-1989	Ourmieh
Titakhi	Assad	1988-1989	Sanandaj
Titi		26.07.1983	
Tonik	Mikhail	1988	
Torshizi	Reza	01.1989	Tehran
Toyori	Saied	30.04.1989	Tehran (Evin)
Turk	Ata	1988	Kermanshah
Vaissi	Ismaeil	1988	Kermanshah
Vakili	Youssef		Ormieh
Varnasseri	Jamshid		Abadan
Vasigh	Kazem	02.1989	Tehran (Evin)
Wahab		1988	Ourmieh
Waladbigi	Ghader	1988	Kermanshah
Walandeh	Abdullah	1988	Ourmieh
Weladbeigui	Ghader	1988-1989	Kermanshah
Yadollahi	Valiollah	1988	
Yamossa	Shabaz		Ahvaz
Yazdani Tabaee Zavareh	Ahmad	01.1989	Tehran
Yossefi	Mohsen	02.1989	
Yousseffi	Bahram		
Youssefi	Mehrnosh		Ramhormoz
Youssefi	Kamal	1988	Mahabad
Youssefi	Amir	02.1989	Tehran (Evin)

SURNAME	NAME	DATE	PLACE
Youssefi	Daryoush	1988	
Youssefi	Heidar	1988	
Zabihi	Tahereh	1982	
Zabihi	Ramezan	08.1981	
Zahmatkesh	Ali	25.06.1989	Mashad
Zamorodian	Ali	1988	
Zangheneh	Mohammad		Ramhormoz
Zare	Javanchir	1988	
Zarghami	Abas		Tehran (Evin)
Zarshenas	Kiumars	1988	

Annex II

Persons listed as having been executed by the Mojahedin organization, as published in articles from the "Mojahed" newspaper supplied by the Iranian Government

SURNAME	NAME	DATE	PLACE
ABBASSI TEHRANI	Ahmad	01.11.83	Langaroud
TAFAVOT	Nosratollah	01.12.83	Ramsar
KAZEMI	Khosrow	05.12.83	Nahavand
DJAFARIAN	Reza	05.12.83	Nahavand
SEIF	Asghar	05.12.83	Nahavand
DABAGHIAN	Asghar	06.01.84	Bandar Abbas
GHEIBI	Hamid	22.04.84	Tehran
GHIRAZI	Ali Akbar	.04.84	(not mentioned)
AGHARAZI	Djafar	26.05.84	Tehran
ABBASSI	Gholam-Hossein	19.05.84	Tehran
SEPEHRI	Abol-Ghassem	06.06.84	Tehran
SORBI	Mohammad-Bagher	30.07.84	Tehran
RAHMANI	(not mentioned)	22.08.84	Tehran
POUR-ABEDEYN	Abbas	27.08.84	Isfahan
FAHLEH-NEJAD	Mohammad	29.08.84	Ahvaz
BARGHIR	Ghassem	12.09.84	Tehran
DJABARZARE	Mehdi	10.09.84	Isfahan
GHODSIMAAB	Mohammad-Ali	12.09.84	Ahvaz
HIZOMI	Ezatollah and Mohammad-Reza	19.09.84	Tehran
KHATABAKHCH	Mohsen	18.09.84	Shiraz
SOLTAN-MOHAMMADI	Habib	09.10.84	Tehran
DALIR	Kazem	11.10.84	Ahvaz
PAKDEL	Mehdi	14.10.84	Shiraz
AGHAHI	Mohammad	24.10.84	Tehran
YAGHMOUR	Akbar	28.10.84	Shiraz
HOSSEINI-ANVARI	Ali	30.10.84	Tehran
HEMATIFAR	Alidjan	12.12.84	Kerman
SETOUDEH	Youssef and Ghanbar	29.11.84	Gorgan
CHARAINE	Samad	12.12.84	Shiraz
CHARAB-SARDROUDI	Hadj Taghi	30.12.84	Tabriz
MORADI	Ebrahim	10.12.84	Tehran
YAGHOUBZADEH	Hossein	19.11.84	Tehran
EBRAHIMZADEH-SAFAR	Ali-Asghar	06.12.84	Tehran
MEHMANDOUST	Hassan	08.01.85	Tehran
SALEHI	Ezatollah	13.01.85	Kermanshah
CHAHBAZI	Chokrollah	16.01.84	Isfahan
FALLAH	Ahmad	19.01.84	Tehran
SIRDJANI	Ahmad	21.01.85	Meshed

Annex III

Villages destroyed in Kurdistan

NAGHADEH REGION:

Nasserabed
Bazarga
Sewabersi
Keleh
Ahamad Gharib
Kanizard
Hawshenan
Kani Mam Seyda
Mohammad Shah Olia
Bayizabad
Ssirokani
Kalakaweh
Ghalatan
Gharna
Khalifalian
Tchaghal Mostafa
Habeh
Konkan
Karezay Shikakan
Dilantcharkh
Gharaghassab
Saral
Darband

OURAMANAT REGION:

Shoshmeh
Sindjar
Tastar

SALMAS AND ORUMIYEH REGIONS:

Djermeh
Betkaran
Botik
Deman
Ghasrik
Ghaderabad
Bestabad
Moussa Abad
Mandadol

MAHABAD REGION:

Kawlan
Tchwarga
Sawzi
Kanirash
Sartchnar
Gharagol
Gamishan
Khanague
Wsoukand
Daralak
Sartan
Saroughamish
Indirghash

AFSHAR REGION:

Ghazankeh
Mayin Bulakh
Kharkhar
Ghezghapan
Angouran
Ahmadawa

PIRANSHAHR REGION:

Dolaneh
Keli
Shelemdjaran
Sofian
Karpaf
Kolidj

BOWKAN REGION:

Hosseinmama
Kolabad
Keshadeh
Dashband
Rahim Khan
Glolani Sareh

SALMAS AND ORUMIYEH REGIONS (cont.):

Avdeh
Kania Sepi
Band
Hashtian
Khanik
Zindasht
Pirandjugh

KAMYARAN REGION:

Tilako
Moranho
Ziwia
Bila

SAQUIZ REGION:

Gilassou

SARDASHT REGION:

Sawan
Halesha
Dolatou
Gorrasher
Pashghabran
Bewaran
Kanissew

OSHNOVIYEH REGION

Djashiran
Tchapan

Annex IV

Programme of official meetings

Sunday 21 January 1990

Arrival and meeting with Mr. Mottaki, Deputy Minister for International Affairs, Ministry of Foreign Affairs.

Monday, 22 January 1990

09.00 - Meeting with H.E. Ayatollah Moghtadaei, President of the Supreme Court.

11.30 - Meeting with Dr. Mehrpoor, Deputy to the Head of the Judiciary.

Tuesday, 23 January 1990

09.00 - Attended a general session of the Supreme Court.

11.30 - Meeting with H.E. Hojjatolislam Shooshtari, Minister of Justice.

Wednesday, 24 January 1990

09.00 - Attended a session of a penal court.

11.30 - Meeting with H.E. Hojjatolislam Noori, Minister of the Interior.

Thursday, 25 January 1990

09.00 - Meeting with Mr. Zargar, narcotics prosecutor.

11.30 - Meeting with Mr. Lajevardi, Director of the Prisons, Educational and Welfare Organization.

15.00 - Visit to Evin prison.

Friday, 26 January 1990

12.30 - Visit to the Armenian minority in Tehran, at the Ararat Complex.

Saturday, 27 January 1990

09.00 - Meeting with Mr. Mir Mehdi, Deputy Minister for Legal Affairs, Ministry of Foreign Affairs.

11.00 - Meeting with H.E. Mr. Velayati, Minister for Foreign Affairs.

12.00 - Round table with Ayatollah Jennati, Member, Council of Guardians of the Constitution; Mr. Mohaghegh-Damad, Chief of the State Inspection Office; Dr. Eftekhar, Member of the Council of Guardians of the Constitution; Dr. Mehrpoor, Deputy to the Head of the Judiciary; Mr. Asadolah, Political Deputy to the Head of the Judiciary.

Sunday, 28 January 1990

08.30 - Meeting with the heads of the judicial and foreign affairs committees of Parliament.

16.30 - Final meeting with Mr. Motakki, Deputy Minister for Foreign Affairs.

Annex V

Bureau of the Prime Minister addressed to all the ministries, organizations, governmental institutions, revolutionary institutions, offices of the Governors of all provinces

According to information received, there is no co-ordination within the organs of the executive, concerning the persons belonging to the Baha'i sect. Therefore, with the agreement of the President, the following official directives have been drawn up and shall be applied by all ministries, organizations, governmental institutions, revolutionary institutions and provincial offices in the entire country.

Spies shall be treated firmly, as stipulated by laws and regulations. All other citizens shall be treated as normal citizens, no matter what their beliefs are, in conformity with the latter part of principle 23 of the Constitution. The regulations and facilities foreseen in this principle shall apply to them.

No official or representative of the Islamic Republic of Iran is allowed to deprive them of their legal and social rights, if they have not been recognized as spies by the competent authorities and if such a condemnation has not been issued concerning these persons, depriving them thus of their social and legal rights.

It is well understood that, in conformity with principle 13 of the Constitution of the Islamic Republic of Iran, Iranians belonging to the Zoroastrian, Christian and Jewish religions are the only recognized religious minorities within the Constitution and they are the only ones allowed to practise their religion, in the framework set by the law, and to be registered as such and teach their religion according to their customs.

(Signed) Mir Hussein Moussair
Prime Minister

(Date) 67/11/12 (January 1989)